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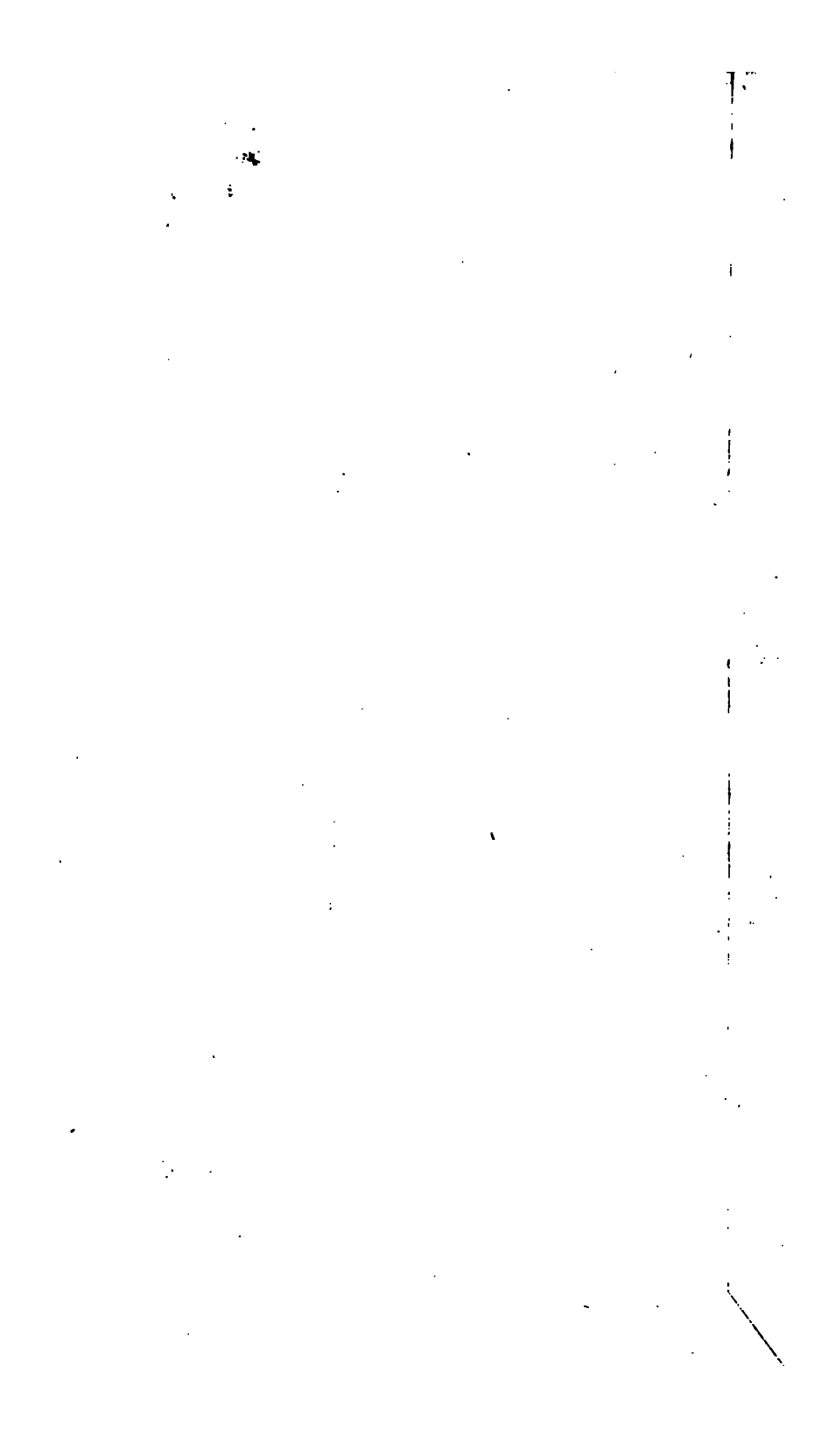
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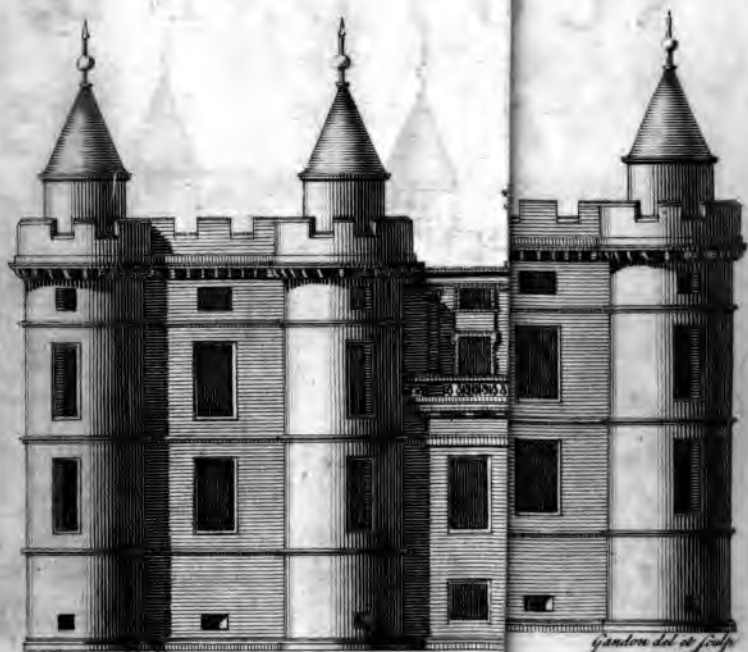
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A
GENERAL HISTORY
OF
SCOTLAND,
FROM
THE EARLIEST ACCOUNTS
TO
THE PRESENT TIME.

By WILLIAM GUTHRIE, Esq.

VOLUME THE EIGHTH.

L O N D O N,

Printed for the AUTHOR, by A. HAMILTON;
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A

GENERAL HISTORY

OF

SCOTLAND.

M A R Y.

ON the twenty-sixth of January 1573, a parliament met at Edinburgh, and confirmed Morton's regency; but made it lawful for themselves, in case of another vacancy during the king's minority, to elect any of his majesty's party, professing the true religion, regent. An act passed, That no papists should be reputed loyal subjects to the king, but be punished as rebels: and that all such as professed the true religion, and yet withstood the king's authority, should be warned by their teachers to acknowledge their offence, and return to their obedience; which if they refused,

A. D. 1573.
Proceedings
of the Scotch
parliament.

A. D. 1573.

ed, they were to be cut off from the society of the church, as corrupted members. The parliament then breaking up, a friendly deputation met at Perth, consisting of the earl of Argyle, now acting as lord chancellor, the earl of Montrose, the lords Ruthven and Boyd, Pitcairn, who was secretary of state, and Sir John Ballenden, on the regent's part; and the earl of Huntley, with the abbot of Arbroath, heir apparent to the duke of Chatleheraut, on the part of the queen. On the twenty-third of February these deputies came to the following conclusions:

That all persons comprehended in the present treaty, viz. the adherents of the house of Hamilton, and followers of Huntley, shall profess the true religion as by law established, and maintain its preachers and professors against all opponents, especially against the confederates of the council of Trent.

Second, That the earl of Huntley and lord John Hamilton, for themselves and dependents, shall submit to the king, and to the government of the earl of Morton, his regent, and his successors in the same, acknowledging themselves the king's subjects by their oaths and subscriptions.

Third, That they shall confess all things done by them under colour of any other authority, since the time of his majesty's coronation, to have been unlawful and of no effect.

Fourth,

Fourth, That an act of parliament shall be made, with all their consents, ordaining, That none of the subjects should either shew favour or assist, directly or indirectly, any, whether Scots or foreigners, who may practise any treasonable fact (the original) against the religion presently professed, the king's person, his authority, or regent. And if, notwithstanding, they are guilty of these, or do not resist the guilty, remissions granted, with all the other benefits of this pacification, shall be null, and they pursued for past offences, as if they had never obtained pardon. A.D 1573.

Fifth, That all persons, true to the king, who had been dispossessed during the late troubles, shall be restored to their estates and benefices, and what remains of their goods, horse and armour excepted, on pain of treason.

Sixth, That the castle of Spyny shall be surrendered to the regent in fifteen days after it is demanded.

Seventh, That the master of Forbes, James Glen of Barr, with his son, and all other prisoners in the hands of Adam Gordon, brother to the earl of Huntley, shall immediately, after the publication of this peace, be set at liberty; and that lord Semple's bond, with all other bonds for the entry and ransom of prisoners, shall be discharged.

Eighth, It is concluded, that the earl of Montrose,

A. D. 1573. Montrose, the lord Glamis, and Sir John Wisheart of Pitcur, shall be conjunct judges for the restitution of all the spoil taken on the north of the Forth, if it is claimed within a year and a day. In like manner, the lord Boyd, Mark, commendator of Newbattle, and Sir John Ballenden, shall determine these matters to the south of that river. If they refuse this commission, others shall be nominated.

Ninth, That the earl of Huntley and lord George Hamilton shall instantly disband their soldiers; so that every man may return unmolested to his own habitation.

Tenth, And as pledges and caution were demanded for their observance of the above articles, the earl of Huntley and lord John Hamilton, at the request of the queen of England's ambassador, referred themselves to the regent, who shall prescribe such penalties for their delivery as he shall think proper.

Eleventh, In consideration of these, it is agreed, that all processes of forfeiture that have been passed upon George earl of Huntley, lord John Hamilton, commendator of Arbroath, William his brother, now commendator of Paisly, William Gordon bishop of Aberdeen, Alexander Gordon bishop of Galloway, Sir Adam Gordon of Auchindown, Sir Andrew Hamilton of Gossington, Hamilton of Hawthouse, Hamilton of Innerwick, Barclay of Barclay, &c. &c. &c. for any crime done in the
common

common cause, against the king or his authority, since the fifteenth of June, 1567, or for any other cause contained in the summons of forfeiture raised against them, shall be declared of no force, they having liberty to reduce the said forfeitures when they please. A. D. 1573.

Twelfth, That all persons returning to the king's obedience, shall instantly be restored, by act of parliament, to their estates, blood, and offices, whether deprived of them by sentence of forfeiture, barratry, or any other way, and shall enjoy them as fully as if no troubles had ever subsisted in the kingdom.

Thirteenth, That all crimes (incest, witchcraft, and theft excepted) since the fifteenth of June, 1567, shall be freely remitted, except the murders of the late earls of Murray and Lenox, which are matters of such importance, that the regent, of himself, cannot conveniently remit them: yet, considering the necessity of this pacification, it is agreed, if those who committed them submit the matter to the queen of England, that the parliament will ratify whatsoever she advises; and a remission signed by the clerk-register, shall be deemed as valid as if it had passed the great seals: and if any of the party shall solicit a pardon for any other offences done before the fifteenth of June, 1567, it shall be granted, the assassination of the late king, fire-raising, theft, receipt of theft, incest and withcraft excepted.

A.D. 1573.

Fourteenth, All criminal decrees, passed since the fifteenth of June, injurious to any of their party, shall be received by those who pronounced them, they giving a hearing upon supplication within six months, to their objections and lawful defence.

Fifteenth, As for the fruits or moveables belonging to the king or his subjects, taken from persons professing their obedience, from the sixteenth of June to the thirtieth of July last past, against the party with whom they then stood in controversy and debate, (the words of the original) because the matter is of such weight and importance, it is accorded, the same being moved to the queen of England, her advice shall be followed by the regent and parliament.

Sixteenth, The rents, fee-farms, &c. of the lands of Pedreith, and the third of the benefices of Duffas in Murray, though part of his majesty's property, having been paid to the earl of Huntley or to Murray, or his order, are hereby discharged. And the regent shall make suit to the church or the general assembly, to obtain from them a discharge of these parts of the thirds of benefices, common church and friar lands, which Huntley, lord John Hamilton, or any in their name, may have received.

Seventeenth, That all persons comprehended in the pacification, after its being published, shall

shall, without distinction, be received and embraced in all parts of the realm, as his majesty's good lieges; and that nothing done during the commotions shall warrant feud or enmity, or be admitted as an exception against either judge, party, or witnesses.

Eighteenth, That the heirs and successors of persons forfeited, and since dead, properly included in this treaty, shall be restored to their lands and inheritances, by briefs, as amply as if their fathers had not been forfeited, but had died on the king's side, especially the heirs of John archbishop of St. Andrew's, Gavin commendator of Kilwinning, Andrew Hamilton of Lochnot, and captain James Cullayne.

Nineteenth, That the captains James Bruce (John Hamilton Albowry his lieutenant, and John Robertson of Braidwood-side his ensign), and captain Thomas Ker (with his lieutenant, ensign, &c.), and their companies, shall be comprehended in the treaty.

All these articles, in presence of the English ambassador, the subscribing noblemen have sworn to perform, the king's commissioners delivering to Huntley and lord John (who promises that his brother, lord Claud, shall also approve them) their remissions, under the king's great seal.

Argyl.	Ruthven.
Huntley.	Boyd.
Montrose.	Dumfermling.
Arbroath.	Ballenden.

A.D. 1573.

The castle
of Black-
ness falls
into the
regent's
hands.

Edinburgh
castle re-
duced.

I have thought proper to give those articles entire, because, though prolix, they exhibit a more genuine representation of the state of Scotland at that time than is to be found in any historian. Sir James Kirkaldy, who, as we have already seen, had been sent by Mary's friends to France, returned from thence with a considerable sum for her use; and being obliged to land at Blackness, the governor of that fortress, to make his peace with the regent Morton, surrendered the place; but the garrison mutinied, and chose Sir James for their governor. His lady (as an instance how deeply party zeal then operated in Scotland) came to pay him a visit, and requesting him to give her a convoy part of the way, betrayed him to an officer of the king's troops, whom she had placed in ambush for that purpose; upon which the garrison yielded themselves to the regent, and Sir James was sent to prison. Notwithstanding the late pacification, the regent considered himself as in a state of warfare with the loyalists. He applied to the English ambassador; and at his solicitation, Elizabeth ordered Sir William Drury to march with six hundred and forty men, and a proper train of artillery, to reduce the castle of Edinburgh. She took care to stipulate payment for this service; and upon Kirkaldy's refusing to surrender the castle, he and his followers were forfeited by a convention of the states. The siege being formed, the garrison refused

to

to stand by their governor; upon which he surrendered himself to Drury, and the fortress to the regent, who ordered Kirkaldy and his brother, and two other gentlemen, to be hanged, and gave the custody of the castle to George Douglas, the same who had been so instrumental in Mary's escaping from Lochleven. Thus died Kirkaldy, to whom his enemies allow the greatest abilities and virtues. The inconsistencies of his conduct can easily be accounted for by the distractions of the times; but he lived long enough to discover the horrible injustice that had been done to his royal mistress, and to be sincerely penitent for being so instrumental in her calamities. His friend Maitland being taken, was confined a prisoner in Leith, and is said to have dispatched himself by poison. I have already, more than once, mentioned his great political abilities, which seem to equal those of any statesman of his age; but he certainly outwitted himself by his natural inconstancy.

A.D. 1573.

Deaths of
Kirkaldy
and Mait-
land.

The reduction of Edinburgh castle, with the fates of Maitland and Kirkaldy, gave the finishing blow to Mary's party in Scotland. The regent applied himself with indefatigable abilities to reduce the borders to a state of tranquillity, and to cultivate his friendship with Elizabeth. She might at this time have been the sole sovereign of Scotland, had not Morton, for his own safety, preserved the

Unpopular
conduct of
the regent.

A. D. 1573. young king. In other respects, after his enemies were subdued, he acted with great vigour, and restored his country to some degree of tranquillity; but he was exclaimed against for his boundless extortion and avarice. He found means to pacify the troubles in the north, where Adam Gordon still continued victorious; and two great men, the duke of Chatleheraut and the earl of Argyle, dying, he was left without a rival in the kingdom.

To retrieve his popularity with the clergy, he promised to make the stipend of every minister local, and payable in the parish where he served, provided he was their pay-master, and they gave up the thirds of their benefices. They tried the experiment, but found themselves deceived; for he appointed two, three, and sometimes four, churches to one minister; and cut off all the power of the superintendants, under pretence that they were the successors of bishops, who were no longer useful in the church. When the clergy thus found themselves the dupes of Morton's avarice, they desired to be reinstated in their thirds; but he evaded this request by pretending, "That seeing the surplus of the thirds belonged to the king, it was fitter the regent and council should modify the stipends of ministers, than that the church should have the appointment or designation of a superplus." This shameful shuffling rendered the regent more unpopular than ever.

Mary continued still in her dismal captivity; and a new scene of dissimulation was opened between the French court and Elizabeth, who appeared willing to accept of the addressee of the duke of Alençon, a boy of seventeen years of age, and younger brother to the duke of Anjou. Even the horrible massacre of Bartholomew's Eve did not interrupt this negotiation; but Elizabeth falling ill of the measles, Mary and her friends entertained some faint glimmerings of hope. The earl of Shrewsbury, her keeper, sent a dispatch to Burleigh, who was now made lord high-treasurer of England, to know how he should behave in case of Elizabeth's death; but upon her recovery, she wrote him a letter with her own hand, in which she styled him her "faithful Shrewsbury." Preparations were then making by the French king for besieging Rochelle; and the spirit of the English nation was such against the French, that it was with difficulty Elizabeth could prevent her nobility and gentry from acting as volunteers in favour of the Rochellois. Though Elizabeth pleaded great merit at the court of France for discouraging this spirit, yet the French king was so much convinced of her assisting the Rochellois privately, that he had thoughts of sending the duke of Maine with an army to support Mary's friends in Scotland. This matter being debated in the council of France, the cardinal

A.D. 1573.
A designed
invasion of
England

A.D. 1573 dinal of Lorraine and the pope's legate were strongly of opinion that the siege of Rochelle should be raised, and that all the naval power of France, under admiral Strozzi, should be employed in making two descents, one upon England, under the duke of Guise, and the other upon Scotland, under the duke of Maine.

The king and queen-mother of France were so much bent upon the reduction of Rochelle, that the invasion was postponed; and Walsingham, the English ambassador, having corrupted one of the archbishop of Glasgow's servants, sent intelligence to Burleigh of all that passed in the council of France, and it came to Morton's knowledge by the same channel. Tho' the invasion was postponed, it was not laid aside; and the siege of Rochelle was furiously pressed, that it might be resumed, after that capital of the hugonot power was reduced by the duke of Anjou, who was at this time chosen king of Poland. This election saved the Rochellois. Monluc, the famous negotiator, who had been employed in Scotland, had stipulated with the Polish protestants, that if the duke of Anjou was chosen, the Rochellois should remain in possession of their town, and all their privileges. This stipulation was extremely agreeable to Elizabeth, who ordered Walsingham to give her a particular account of the duke of Alençon's person.

son. His report was so little in the duke's favour, that Elizabeth refused him leave to pay her a visit in England, on pretence that he was disagreeable to her protestant subjects, because of his forwardness at the siege of Rochelle. Mary was at this time in so declining a state of health, that she employed the French ambassador, Gondy, to solicit Elizabeth for leave to repair to Buxton Wells for the recovery of her health. Elizabeth, at first, rejected this favour, trifling as it was; but upon Burleigh representing the indecency of not indulging her royal kinswoman in so slight a boon, she gave the earl of Shrewsbury leave to carry Mary to the Wells, provided he redoubled his attention to the security of her person. Burleigh, while Mary was at Buxton, repaired thither likewise for the recovery of his health; and this gave a handle for Leicester, who hated him, to suggest to Elizabeth that a plot had been formed between the earl of Shrewsbury and Burleigh for betraying her to the queen of Scotland. Though nothing could be worse founded than this surmise, yet such was the jealousy of Elizabeth, that it had almost proved fatal to Burleigh, who was obliged to break off all connections with the earl of Shrewsbury.

The bishop of Ross continued all this while in prison; and Morton strongly solicited Elizabeth that he should be sent to Scotland. I
can

Lesley set at liberty.

A.D. 1573. can see no ground for believing what was given out by some English writers, that he was sentenced to death; and the report perhaps took its rise from the English ministry threatening to execute him, if he should refuse to be examined. Be that as it will, Elizabeth secretly approved of his behaviour; and upon the request of Montmorency, who was then the French ambassador in England, she put it in Lesley's option, either to return to Scotland, or to retire to France. He chose the latter; and if we are to believe Spotswood and Camden, he made a precipitate retreat out of England, that he might avoid the resentment of the earl of Southampton, and Howard, the duke of Norfolk's brother, whom he had touched in his examinations. Soon after he left England, he published the history of his own negotiations, which I have frequently mentioned. Several of his friends and domestics were apprehended and imprisoned after his departure; but Elizabeth suffered none of them to be proceeded against with rigour. He applied to the duke of Alba in favour of his mistress; but Granvelle, who was then prime-minister to the king of Spain, advised his master to recal that great general, because of his unpopularity; so that he had no opportunity of following his own inclinations, which were strongly in favour of Mary.

Elizabeth

A. D. 1573.
 Uneasiness
 of Elizabeth.

Elizabeth considered the duke of Alva's recall as a deliverance to England; but she was thrown into fresh disquietudes by the suggestions of two of the earl of Shrewsbury's chaplains, who privately accused their lord of infidelity in his charge of Mary. When we reflect upon the frequent correspondences which Mary kept up with her friends both at home and abroad, notwithstanding the strict injunctions Elizabeth gave for cutting her off from all such communications, it must be owned that the allegation had some colour; and we can account for it no other way than by supposing that the earl was not insensible of the power of money, though he was one of the most determined enemies that Mary had in England. Elizabeth's uneasiness was increased by her reflecting that there scarcely was a man in England of the name of Talbot, who was not a papist, excepting the earl himself. Before Lesley left England, he had obtained Elizabeth's leave to answer some pamphlets which had been written in favour of the Gray family's title to the crown; but upon condition that the copy should be perused by herself and her council before it was sent to the press. Lesley was too forward, and sent it before Elizabeth had granted him her approbation; so that the whole impression, which had been revised by Caryl and Brown, two of the most eminent lawyers in England, was

A. D. 1573. seized. It had been printed under the name of Morgan Phillips, Doctor of Law; and Lesley there expressly said, that all the English nobility, both at York and Hampton-court, had judged his mistress to be innocent of the crimes of which she was accused. Though this assertion gave great offence to Elizabeth, the book was reprinted beyond seas; and one Dr. Good, a physician, who had attended the press, and Cockyn, Lesley's bookseller, being taken into custody, it appeared by their examinations that Mary herself had revised and corrected the manuscript copy before it was printed.

1574.
Accident
upon the
Borders.

Morton wanted to distinguish his administration in Scotland by digesting the Scotch laws into a regular system; but his project miscarried, probably through the corruption of the lawyers themselves. He filled the prisons with merchants, who were accused of carrying coined money abroad; but he omitted no act of oppression that brought money to himself. One Ormiston, who had been engaged in Darnley's murder, was this year executed; and at the time of his death, he acknowledged his guilt, but declared that Bothwell had shewn him a bond signed by the earls of Huntley and Argyle, secretary Maitland, and Sir James Balfour, approving of the murder. The good understanding between England and Scotland happened at this time to be in jeopardy.

pardy. Sir John Carmichael, one of the Scotch wardens of the borders, had demanded of Sir John Forester, an English warden, that a delinquent should be delivered up to him, according to the laws of the marches. Forester evading, or delaying the request, the followers of the two wardens came to blows, and the Scots at first were worsted; but being reinforced from Jedburgh, they routed the English, of whom twenty-four were killed, and the warden himself, with the earl of Bedford's son, and several persons of distinction, were made prisoners. Elizabeth repented this hostility, and the regent sent Carmichael to her court; but she was so generous, after examining into the fact, as to dismiss him with honour. Soon afterwards she sent the earl of Huntington to the borders, where he had an interview with the regent, in which all the border differences were adjusted. This mild conduct prevented a civil war in Scotland, where all parties concurred in blaming the prostitution of national honour to the old and inveterate foes of their country..

Notwithstanding this, his unpopularity might have proved fatal to himself, had he not, by Elizabeth's advice, repaired and fortified the castle of Edinburgh, and recovered the crown jewels, which had been pawned by the queen. He likewise repaired, or rebuilt the king's houses, and exercised impartial justice against

Persecution
of the Ha-
milton fa-
mily.

A. D. 1574. all offenders who could not save themselves by money. The earl of Argyle being now dead, the lord Glamis was made chancellor. Notwithstanding the late pacification, the lord John Hamilton abbot of Arbroath was way-laid by Douglas of Lochleven, as was thought, by the regent's connivance or orders. Hamilton escaped with great difficulty; and the attempt was so notorious, that Douglas was summoned before the council. He pleaded that the murderers of the regent Murray, of whom Hamilton was one, had been excepted out of the pacification; but this apology being found insufficient, he was committed to the castle of Edinburgh, till he found security for his good behaviour. The persecution of the house of Hamilton still went on; and those who had been concerned in the battle of Langside, notwithstanding the late pacification, and other reconciliatory acts, were obliged to purchase their pardons with large sums.

1575.
Alterations
of the
church go-
vernment.

This year was distinguished by a memorable alteration of church government. Episcopacy was, as yet, unrepealed in Scotland; and the regent, for political ends, espoused it. One Melvil, a man of learning, had lately returned from Geneva to his native country, Scotland, fired with the ideas of presbyterian church government as settled by Calvin and Beza; and proposing Knox as his model, he pitched upon one Drury, who started a question in the ecclesiastical

ecclesiastical assembly concerning the lawfulness of episcopacy, and the authority of chapters in the election of bishops. Melvil warmly seconded the motion; and declaimed copiously against all church authority not warranted by the scripture. He maintained that bishops had no preference over other pastors; and that a purity of church discipline ought to be introduced into the church of Scotland. Though Melvil possibly had no political views in this debate, yet his arguments made a great impression upon the assembly. The wisest and most moderate of its members dreaded that the abuse of church discipline might, at last, defeat all the salutary ends of the Reformation; and they were no strangers to the interested views of the regent. The sum of the debate was, that the assembly judged the name of a bishop to belong to every minister who had the charge of a flock; and, that by the word of God, his chief function consisted in preaching, administering the sacraments, and the exercise of ecclesiastical discipline, with the consent of the elders. In a subsequent assembly, this and other resolutions of the same kind were approved, with this addition, that bishops might attend any church they chose to serve, within their diocese. Those resolutions were directly contrary to the political system of the regent; but they were supported with so much firmness by the preachers, that he was forced

A. D. 1575. forced to dissemble, and to require them to draw up a new system of ecclesiastical polity. We may look upon this period as the commencement of church purity in Scotland; and it is highly remarkable, that though the new archbishops of Glasgow, the bishops of Dunkeld, Galloway, Brechin, Dumblain, and the isles, with the superintendants of Lothian and Angus, sat in the assembly, yet none of them spoke in favour of episcopacy. In fact, so great a prostitution of ecclesiastical dignities had prevailed of late, that bishops did not consider themselves as clergymen; and the church livings in Scotland were in the most imminent danger of either being secularized, (which was the fact in some cases) or rendered no better than appanages for the provision of young noblemen, or the dependents of great families.

Death and
confession
of the earl
of Both-
well in
Denmark.

The earl of Bothwell, who (as we have already seen) had fled to Denmark, was now dead. Several ambassadors had been sent to Denmark, requiring him to be delivered up to public justice in Scotland; but his Danish majesty, from what motive is not very clear, protected him. If we are to believe the favourers of Mary, when he was upon his death-bed, he declared before the governor of the castle of Melling, where he expired, and several persons of great distinction, that the queen never gave her consent to the king's death, nor was
privy

privy thereto, as he should answer to the Eternal God. The circumstances of his death have been suppressed by our historians, but they made great noise at the time; and as a particular account of them has been published, without its authenticity being questioned, it is proper to lay them before our reader.

“ The earl of Bothwell being sick unto death in the castle of Malmay, made solemn faith of what here followeth, viz.

“ The bishop of Schonen, together with four great lords, namely, Berin Goves governor of the castle of Malmay, Otto Braw of the castle of Ottenbrucht, Paris Braw of the castle of Vescut, and Monf. Gullensterne of the castle of Falkenstrie, and together likewise with the four bailiffs of the town, prayed the said earl to declare freely and truly what he knew of the death of the late king Henry, (Darnley) and of the authors thereof, according as he should answer before God at the day of judgement, where all things, how secret soever they may be here, shall be laid open.

“ Then the said earl declaring that through his present great weakness, he was not able to discourse all the several steps of these things, testified that the queen was innocent of that death, and that only he himself, his friends, and some of the nobility, were the authors of it.

“ And being thereafter pressed by those lords

A.D. 1575. lords to name some of the persons that were guilty, he named my lord James earl of Murray, my lord Robert abbot of Holyrood-house, (now earl of Orkney) both of them bastard brothers of the queen ; the earls of Crawford, Argyle, Glencairn, Morton, my lord Boyd, the lairds of Lethington, Buccleugh, and Grange.

“ He declared likewise, that as he had from his youth addicted himself much to the art of enchantment at Paris and elsewhere, he bewitched the queen to fall in love with him, and so invented means to get rid of his own wife.

“ That after the marriage was consummated, he sought all means how to destroy the infant-prince, and the whole nobility that would not fall in with him.”

He added, “ That he had debauched two daughters of a great man in Denmark, with pretext to carry them over into Scotland ; and other two virgins daughters of a great man in the town of Lubeck, under promise of marriage ; and many other women of rank in France, Denmark, England, and Scotland : for all which he begged God’s pardon, received the holy sacrament, and died.”

This whole narration, and much more, largely extended, was written both in Latin and Danish, and sealed with the king of Denmark’s seals, and of the persons who assisted,

as

as above; and may come to light one day for verification of the innocence of the queen of Scots. A.D. 1575.

This present copy of this instrument was imparted by a merchant of good faith and reputation, who was present at this last attestation of the earl of Bothwell.

The innocence of Mary, with regard to her husband's death, was so much cleared up by Bothwell's confession, and other evidences, that the countess of Lenox, his mother, acquitted her, in the most express terms, of having any concern in the murder. "This good lady (says Mary in a letter transmitted from the Scots college at Paris, to her embassador the archbishop of Glasgow) was, thanks to God, in very good correspondence with me these five or six years bygone, and has confessed to me by sundry letters under her hand, which I carefully preserve, the injury she did me by the unjust pursuits which she allowed to go out against me in her name, through bad information; but principally, she said, through the express orders of the queen of England, and the persuasion of her council, who also took much solicitude that she and I might never come to good understanding together. But how soon she came to know of my innocence, she desisted from any further pursuit against me; nay went so far as to refuse

Consequences of
the same.

A. D. 1575. her consent to any thing they should act against me in her name."

King James
convinced
of his mo-
ther's in-
nocency.

Notwithstanding Bothwell's confession, we are not to imagine that the noblemen and gentlemen whom he named as being concerned in Darnley's death, were actually accessaries to that murder; but it is pretty plain that they had declared themselves to be his enemies; and in the barbarous manner of that time, when assassination was scarcely looked upon with horror, he considered them as participant of the crime which he himself committed. Mary (who, notwithstanding her misfortunes, preserved a most amazing serenity of mind) understanding that Elizabeth did all she could to suppress Bothwell's dying declaration, ordered the archbishop of Glasgow to send one Monceaux to Denmark, to obtain an exemplification of the same. One Barclay of Gartely was at London when Bothwell's dying declaration came to Elizabeth's hands; and returning to his native country of Scotland, he talked of it with great freedom, as being a full refutation of all the charges against Mary for being concerned in her husband's death. Morton ordered him to prison, as being an agent of Mary; but the consequences of the discovery could not be stifled; and they were so remarkable, that I must relate them in the words (for I can make use of none so authentic,

thentic, or more expressive) of Mary's ambassador, the archbishop of Glasgow, in a letter he writ to her upon the occasion. A. D. 1575.

“ Tullibardin (says he) being one day in your son the prince's chamber (king James the sixth) at Stirling, was, by chance, reading to another gentleman the earl of Bothwell's testament. The prince, on a sudden, rose from the table where he was writing, and would needs have a sight of the paper which Tullibardin held in his hand, notwithstanding his refusal once and again to deliver it. The prince then read it all over, and delivered it back again without saying one word. But after he had finished what he had been writing, he began to talk with the gentlemen that were present more pleasantly than usual, which he likewise continued to do all the afternoon, in the time of, and after supper was over. The company being earnest to dive into the ground of this behaviour, Tullibardin told the prince after supper, that as he had always loved and honoured him, he could not but do so in a more eminent manner at present, since he perceived him to be so very chearful, and to entertain the lords and gentlemen that came into his presence with so agreeable a manner, and kindly countenance. Hereupon the prince replied, “ Tullibardin, have I not very good reason to do so? For whereas formerly grievous accusations and calumnies have been all along

A. D. 1575. impressed upon me against her majesty my mother, this day I have seen a manifest declaration of her innocence?"

The earl of
Orkney im-
prisoned.

I could add many other corroborations, some of them under Mary's own hand, of this important fact; but it is sufficient to say, she was so conscious of her own innocency, that she recommended the most strict enquiry to be made concerning the manner of Bothwell's death, with the names of the persons who were present at the declaration; and ordered exemplifications of his confession to be transmitted to Scotland, where they were wickedly stifled by the regent's authority. Towards the end of this year, the earl of Orkney, one of Mary's natural brothers, was imprisoned in the castle of Edinburgh, for treating about the delivery of the isles of Orkney and Shetland to the king of Denmark. As every thing was venal with the regent, the delinquent is said to have purchased the pardon of his treason by a considerable sum of money. Early in the year 1576, a dangerous difference broke out between the earls of Athol and Argyle, on the following occasion: One Maclelan, a noted robber in Argyleshire, had been taken prisoner by the earl of Athol, who intended to have hanged him, but was prevailed on by the earl of Argyle to dismiss him. Maclelan, without paying any regard to this lenity, renewed his depredations upon the Athol estates with greater fury than ever,

Athol

A. D. 1576.

Athol naturally demanded redress from the earl of Argyle, and receiving no satisfactory answer, he invaded Argyleshire with an army of his friends and tenants, but found Argyle so well prepared to receive him, that a bloody dispute must have ensued, had not the regent interposed, and prevailed on both parties to refer their differences to his decision. His intention was to have summoned both parties, under pain of treason, to appear before him; and, when he had them in his power, to have prosecuted Athol for suffering a rebel to escape, and Argyle, for assembling the king's liege subjects without authority.

The regent
betrayed.

A clerk, of the name of Campbell, in one of the regent's offices, discovered his design, and apprized Argyle of his danger. The latter communicated this to the earl of Athol; and both of them dropping their former animosities, united in their resentment against the regent; and though he issued summonses for their appearance, they not only were disregarded, but his messengers were imprisoned, and compelled to swear never to execute the like summonses again.

Character of
James,

The chief place of the young king's residence, at this time, was the castle of Stirling; when Alexander Erskine continued to act as his governor, and Buchanan as his preceptor. Erskine hated the regent, and probably he secretly instilled into young James those arbitrary prin-

A.D. 1576. principles, which were directly the reverse of those inculcated by his preceptor. However ridiculous the pedantic learning of James may appear to modern times, yet it is certain he made, young as he was, an amazing proficiency in letters, and discovered an uncommon capacity for the arts of government. He received early prepossessions against Morton's person and principles, and they were confirmed by almost every act of his regency. Mary had bestowed a small estate upon a favorite maid of honour, who was married to one Semple. As the estate lay convenient for Morton, he endeavoured to reduce Mary's deed of gift, on pretence that she could not alienate the crown lands; but meeting with an unexpected opposition from Semple and his friends, who were men of spirit, he ordered them to be put to the torture, on pretence of their conspiring, with the Hamilton family, against his life, and Semple narrowly missed being hanged.

who resolves to take the government upon himself.

Those severe proceedings rendered the regent more than ever unpopular. The greatest part of the nobility had still a warm side for Mary, and James was highly susceptible of natural affection. Those sentiments were cultivated by Erskine; and, upon the regent's threatening to proceed against the earls of Argyle and Athol, as rebels, they were invited to a secret conference with the king at Stirling. The reader is here to observe, that the office of regent, and that

that of governor to the king, was considered in Scotland as places of trust entirely separate. Erskine had the sole direction and superintendency of the king's person, and the avarice of the regent had reduced, in a scandalous manner, the expences and attendants of the court. Upon Argyle's arrival, he had a ready admittance to James; and after complaining of the regent's tyranny, he counselled his majesty to call together his nobility, for reforming the abuses of government according to law. This request was seconded by Athol; and James, without consulting the regent, directed those two noblemen to summon a convention of the states, at Stirling, on the tenth of March. If we are to believe archbishop Spotswood, they invited none to the convention but their own friends, and the declared enemies of Morton, among whom were the lords Maxwell and Ogilvie, who had been put under arrest by his order. Morton lost neither his courage nor his presence of mind upon the occasion, though he knew his situation to be very untowardly. He was hated by the clergy, who agreed with him in nothing but the barbarous disrespect shewn to the king's mother, and the severities inflicted upon her party. Elizabeth was now engaged in supporting the revolt of the Netherlands, and could spare neither men nor money to the regent. The immense estate he had acquired, at the expence of the crown, had impoverished it

A. D. 1576.

1577.

A. D. 1577. it so much, that there was a necessity for an act of resumption; and the two favorites, Argyle and Athol (the earl of Huntley being lately dead) were resolved if possible to have his head. To complete his misfortune, he knew that the young king had been tampered with, though he was scarcely twelve years of age, to take the government into his own hands.

Proceedings
upon that
head.

Such was the situation of affairs when the regent sent the earl of Angus, the lord Glamis, chancellor, and the lord Ruthven, treasurer, with a letter to the king at Stirling, complaining of the offences committed by the earls of Argyle and Athol, desiring to know his majesty's pleasure concerning them: "That if his highness would allow him to follow the course of law, he might do his duty; if otherwise his majesty thought fit to oversee their disobedience, that he would be pleased to disburthen him of his office, and not suffer his own name and authority to be despised in the person of his servant: for as he had, at sundry times, made offer to dimit the regiment whensoever his majesty was pleased to take it into his own hands, so will he now most willingly resign the same, so as a substantial course were taken for the preservation of his highness's person, the ordering of his majesty's house, and the dispensing of the revenues of the crown." The regent then entered into a long recapitulation of the former services he had performed to

James

James, in keeping the crown upon his head; A.D. 1577.
 and strongly recommended to him to cultivate
 friendship with Elizabeth. This letter being
 communicated to the two earls and their
 friends, they advised James publickly to declare
 his resolution to take the government into his
 own hands; and though Crawford says that
 the regent came to Stirling on the twelfth of
 September, when he desired to resign the re-
 gency, yet it was resolved to strip him of it by
 authority. The same author has given us the
 speech he made on this occasion, which is manly
 and elegant, and was heard with astonishment
 by the council, where James presided in person.
 He faintly refused to accept of the resignation,
 but he acquainted the regent, that if he took
 upon himself the government, he must have
 the immediate possession of the castle of Edin-
 burgh. This demand startled Morton; but he
 replied in general, that his majesty should be
 obeyed in every thing; upon which he retired
 to Edinburgh.

Randolph was then in Scotland, on pretence
 of complimenting James upon the rapid pro-
 gress he had made in his learning; and Eliza-
 beth foreseeing that her friend Morton would
 lose the regency, had ordered some troops to
 file off towards Berwick. This intelligence, and
 the incertainty whether Morton would surren-
 der the castle of Edinburgh and the other
 forts in his hands, which he had put in excel-

A. D. 1577. lent order, together with the public money and magazines in his possession, induced the two earls to advise James to moderate measures, and to promise Morton an indemnity for all that had passed during his regency. The answer he returned, if any, not proving satisfactory to James, on the tenth of March, the chancellor and lord Herries were sent by the council to the regent at Edinburgh, with a letter importing, "That his majesty having seriously taken into his consideration that dislike which most people had of his government, and those troubles which, in all probability, were ready to fall upon the kingdom; he had therefore, by the advice of the greatest part of the nobility, determined to take the management of his affairs into his own hands; and because delays might produce many inconveniencies, he required him instantly to send a declaration in writing, certifying his obedience and allowance of what was done, and for the future to abstain from his present office of regent."

Morton resigns his office.

Morton endeavoured to ward off this blow, by advising the king to unite all parties into his service; but he was answered by James, in a letter written by his own hand, That because he saw no other way to maintain concord amongst his subjects, he had accepted the government in his own hands, and that he was confident to have the defects of his age and experience supplied by his nobility, especially by him-

himself, whom he would ever love and acknowledge as his trusty cousin, most tender to him in blood, and one of his true and faithful counsellors. The regent replied, That he was ready to resign his office, provided he had an ample discharge and remission confirmed by parliament. To this it was answered, that he should obtain such a discharge in due time; but on the twelfth of March, Lyon king at arms, and the heralds, in their robes, proclaimed the king's acceptance of the government at the market-cross of Edinburgh, and Morton was obliged to attend the chancellor and the lord Herries at the ceremony. He even ordered the great guns of the castle to be discharged, in approbation of the solemnity; but he publicly protested, that his dismissal from the regency should be of no force nor effect, nor be deemed good in law, if the king should substitute another in his place. This tame resignation of Morton, which he performed in the most ample manner, is a strong proof of his unpopularity. He had scarcely executed the act, and received a full approbation of his services, together with a discharge, in the most expressive terms, of all his intermissions and acts while he was regent, than he repented of what he had done; though the king and the nobility had bound themselves in the penalty of five hundred thousand pounds to obtain a ratification of his discharge in full parliament.

A. D. 1578. Being upbraided by his friends for his precipitancy, he refused at first to deliver up the castle of Edinburgh; and some cannon shot was discharged by the garrison against the town, where he was excessively hated; but the townsmen, taking part with the new government, cut off the provision of the garrison, and he was obliged in a few days to surrender.

Morton's
agreement
with the
king.

Morton now more than suspected that his enemies aimed at his life, on account of their accumulating demands. Notwithstanding the discharge he had received, they began to talk of resuming some part of the vast estate he had amassed, and employing it for the support of the crown. James had sagacity enough to perceive, that his new counsellors, who were twelve in number, were in a fair way to drive Morton to despair, and acted with wonderful moderation. He sent the chancellor and treasurer for his accompts; and to be informed from him as to the state of the borders, where his nephew, the earl of Angus, was lieutenant. Morton's answer to every point he was consulted on, was respectful and decent. He said, that as soon as his majesty became of perfect age, he might command his estate, if necessary, for supporting the honour of his crown. He freely resigned the mint house, with all its utensils and bullion, to his majesty's disposal; and advised him to fill up the office of lieutenant of the borders with any nobleman whom

whom he thought most proper for executing that great trust. Upon the return of the chancellor and treasurer to Stirling with Morton's answer, the former was killed in a fray between his followers and those of the earl of Crawford, a long variance having subsisted between the two families. The chancellor's death was an irreparable loss to Scotland at that juncture. He was a wise, learned, moderate, nobleman, and had formed great schemes for settling the ecclesiastical government of Scotland; for which purpose he had entered into a correspondence with Theodore Beza. He was succeeded in his high office by the earl of Athol, to the great scandal of the church, as that nobleman was thought to be popishly affected, as were the earls of Gaithness and Eglington, and the lord Ogilvie, who were admitted into the council at the same time. Those admissions turned the affections of the clergy strongly in favour of Morton, who, whatever his other demerits might be, was a declared enemy to the Roman catholic nobility.

A.D. 1578.

Accidental death of the chancellor.

Morton now affected a private life at the castles of Dalkeith and Lochleven, where he secretly meditated the destruction of the new government. Resentment, as well as interest, prompted him to begin with Alexander Erskine, whom he considered as the original author of his disgrace, and who had lately been made

The earl of Mar obtains the custody of the king's person.

A.D. 1578. made governor of the castle of Edinburgh. Finding the family of Mar were very susceptible of suspicions, with regard to that gentleman's conduct towards his nephew, the earl, who was now twenty years of age, the abbots of Dryburgh and Cambuskenneth, who were friends of the family, were employed to surprize the castle of Stirling; which they did very effectually, turning all Alexander's followers out, and forcing their successors in the garrison to swear fidelity to the earl of Mar. The news of this event reached Edinburgh, where the council was then sitting; and the townsmen offered to raise a body of men for recovering the castle, no doubt being made that the late regent had planned the enterprize. In the mean while, the council received letters from James himself, who appeared to be quite indifferent as to what had happened, informing them that as it was a family affair, he intended to have it amicably adjusted in a meeting which should be held, without any warlike appearance, at Stirling on the third of May. He even invited the earl of Morton to be present; and the meeting being accordingly held, it was agreed, that the earl of Mar should receive the custody of the king's person, and the government of the castle of Stirling; but that his uncle should continue governor of the castle of Edinburgh; and that when he came to court, he should have his table

ble kept as before, and himself continued in his place of gentleman of his majesty's chamber. As to the earl of Mar, it was agreed, that he should not remove his majesty to any place whatsoever without the consent of the council; that he should admit none into his castle who were not known to be well affected to the government, an earl to be admitted with only two servants, a lord with one, and a gentleman single; that Mr. George Buchanan, and Mr. Peter Young, should be continued preceptors to the king; and that no religious worship should be exercised in the castle, but such as was approved of by the states.

Morton, by this new arrangement, and the regard shewn to him by the young king, now recovered some part of his influence at court, and all differences were compromised between him and the earls of Argyle and Athol; but their friendship was not of long standing. The estates having been summoned to sit on the tenth of July, it was found necessary that a previous meeting of the members should be held on the tenth of June at Stirling, to prepare matters for the parliament. This convention, as it was called, was very full, being composed of eight bishops, and as many abbots, nine earls, eleven lords, and several commissioners of burghs. The earl of Morton presided at the meeting by the king's earnest desire. Being assembled, James informed them that

Morton recovers his interest.

A.D. 1578. that he intended to call the parliament together at Edinburgh, from whence it was his pleasure they should be adjourned to Stirling; and that he intended to send an embassador to England, not only to cultivate a good correspondence with Elizabeth, and to redress some hostilities that had happened on the borders, but to claim the Lenox estate, to which he was heir, by the death of his grandmother, the countess. He added, that he should be glad of a personal interview with Elizabeth, from whom he possibly might recover some part of the ancient domain of the kings of Scotland in England, or some equivalent, to enable him to maintain his dignity. His speech occasioned a great debate; and it was, at last, agreed, that the embassy should be sent to England; but the earls of Argyle, Montrose, and Caithness, with the lords Lindsay, Innermeath, and the master of Marshal, protested against the whole proceeding, they being warmly inclined to the French party.

**Danger of a
civil war.**

The kingdom was thus more divided than ever. The general hatred borne to Morton aggravated his faults, perhaps beyond the truth; for it was publicly given out that he intended to carry the king to the castle of Lochleven, and to deliver up his person to Elizabeth for a sum of money. This was believed all over the kingdom; and the citizens of Edinburgh offered, at their own expences, to assist the council,

council, which continued to sit there, in rescuing the king out of Morton's hands. Their resentment against that nobleman was the more sharpened on this occasion, because they looked upon him as the adviser of transferring the parliament from the capital to the castle of Stirling, to their great prejudice. The council encouraged them in their complaints; adding, that they could not assemble in safety in a fortress where Morton had the sole direction; and that they could bring the most undoubted proofs of his being then in a treaty to betray the liberties of the kingdom to Elizabeth.

These, and many other allegations of the same kind, together with the dispositions of all ranks of men against Morton, must have proved his immediate ruin, had it not been for many advantages he still possessed. His family-connections were powerful, the person of the king was in his hands. He could command more ready money than was in all the kingdom besides; but above all, Elizabeth still considered him as the prop of her cause in Scotland. It is not impossible that he flattered the young king with a notion of his being able to prevail with Elizabeth to grant him a pension, or some estates in England. Elizabeth finding that Drury and Killigrew were disagreeable even to many of Morton's friends among the Scots, ordered Sir Robert Bowes, a

Vol. VIII. G gentle-

A. D. 1578. gentleman of a very fair character, to repair as her embassador to Scotland; and, if possible, to prevent Morton from losing the regency.

Dated Sept.
18.

In a letter from Bowes to Burleigh, I find him blaming Morton for not being advised by him on that occasion; and indeed he appears from all his actions, as if he had intended to reinstate himself in the regency. He resolved, in all events, that the king should not appear in person at Edinburgh; and he thought that it was dangerous for himself to enter a city where he was so much hated. He therefore persuaded James to issue a proclamation for assembling the parliament on the sixteenth of July at Stirling.

Declaration
of the coun-
cil against
Morton.

The chancellor, Athol, who was at the head of the council at Edinburgh, no longer disguised his indignation at a proceeding which plainly discovered Morton's arbitrary and dangerous designs. He and the other counsellors therefore published a declaration, in which they mentioned the enormities committed during the earl of Morton's regency, which had induced the king to appoint the council to reside at Edinburgh for the administration of justice; and that by the care they had taken of affairs, all things had gone well and peaceably, till the said earl, out of his ambitious desire to rule, did suborn some wicked instruments to surprize the king's house and person at Stirling. They then accused Morton of en-
thralling

thralling the king so far, that none of his best subjects could have free access unto him; and usurping the jurisdiction of his majesty's ordinary council, in translating the parliament from Edinburgh to Stirling. He was next accused of levying soldiers at the king's charge to oppress his majesty's obedient and loyal subjects, and to maintain himself in his wicked and violent designs: "In consideration of which abuses, (continues the proclamation) and lest these notorious presumptions should, by their continued patience, grow to a further height, they had resolved, laying aside all difficulties, to withstand the violences practised by him, under the title of the king's authority, and to hazard their goods, lives, and lands, for the delivery of his majesty's person out of his thralldom: protesting that the inconveniencies which should ensue upon the present troubles, should not be imputed to them, inasmuch as they were forced into it, for their own just and necessary defence, the restitution of their native prince to liberty, and the delivering of the church and commonwealth from the tyranny of a man who ever sought, and still did seek, the ruin and overthrow of both."

This declaration had a wonderful effect upon the people; and though counter-proclamations were issued from the court at Stirling, no regard was paid to them by the public. The

Proclamations for an army to be assembled.

A. D. 1578. Sheriffdoms of Edinburgh, Haddington, Linlithgow, Clackmannan, Kinross, Perth, Fife, Forfar, Lanark, Dumbarton, with the bailiwicks of Kyle and Cunningham, were charged in the king's name to be in readiness with sixteen days provision, to follow his majesty or his lieutenants upon six hours warning, wherever they should be directed. A commission at the same time was issued, constituting the earl of Angus the king's lieutenant against the rebels, as they were called. The chancellor and the earl of Argyll were commanded, in the king's name, to retire from Edinburgh to their respective dwellings in the country; and Stuart, the chief magistrate of that town, was ordered to apprehend all who had taken arms within its liberties; and to suffer no man in arms, unless commissioned by the king, to enter the same. Stuart, upon receiving this order, repaired to Stirling, where he pleaded that the authority of the council was superior in Edinburgh to that of the magistrates, who were not in a condition to prevent what had happened. For this apology, reasonable as it was, Stuart was, by Morton's means, committed close prisoner to the castle of Stirling.

The authority of the parliament of Stirling disclaimed.

No regard being had to any declaration or proclamation issued from Stirling, the members of the council at Edinburgh assembled to deliberate how they were to proceed. It was unanimously resolved to disavow the authority of the

the

the Stirling parliament, and the earl of Montrose, the lord Lindsay, who had abandoned Morton on account of Kirkcaldy's death, with the bishop of Orkney, were ordered to go to Stirling, and in the name of the council to protest against the validity of all proceedings there, for the reasons I have already mentioned. They performed this dangerous commission just after the king had opened the session with a speech, in which he declared himself to be free. Their boldness gave offence to Morton; and they were ordered to confine themselves to their respective lodgings, till the king's pleasure concerning their offence should be known.

The event makes it very difficult to guess at the true sentiments and situation of James at this juncture. I am apt to think that Morton had but little credit with him, or power over his affections. This is the more probable, as Buchanan, his preceptor, was at this time Morton's enemy, for detaining from him a favourite horse. Even Morton's great friend and confident, Drumquhassel, secretly hated him; but his capital enemy, about the king's person, was a forward, bold, young man, Stuart, son to the lord Ochiltree. It was more than probable, through their suggestions, that James privately sent a letter to Montrose, while under his confinement, ordering him to repair to Edinburgh with all speed, and to join with the chancellor in

James sides with Morton's enemies.

A.D. 1572. in delivering him out of Morton's hands, to whom he said he was a prisoner. Montrose obeyed the order with great alacrity, and Edinburgh was soon filled with Morton's enemies in arms. But I am now to introduce a new favourite upon the stage, who bade fair to supplant all others.

**Case of the
succession to
the Lenox
title.**

Matthew, earl of Lenox, had two sons : the one was father to James, and the other Charles, who succeeded his father in his estate and title, to the famous lady Arabella Stuart. James, as being the male descendant from the elder brother, claimed the whole Lenox estate ; but Elizabeth, for very obvious reasons, laid it under a sequestration, till the property of it should be tried between him and lady Arabella. As James had never concerned himself in the representation, he granted the titles of the estate to Robert, bishop of Caithness, who was brother to his grandfather, earl Matthew, and elder brother to John lord D'Aubigni, whose family resided in France. As the bishop had no children ; and as his nephew, Esme Stuart, lord D'Aubigni, was a promising young nobleman, the bishop resigned the earldom of Lenox into the king's hands, who intended to give it to Esme, but created the bishop earl of March, and invited Esme to Scotland, to the great displeasure of Elizabeth.

**Morton dis-
satisfied
with Eliza-
beth.**

Before D'Aubigni's arrival, both parties were in arms, but Morton still proceeded in the business

ness of the parliament of Stirling. A fresh council was chosen, the former being considered in the light of rebels, and some new regulations were made for their observance. Morton's discharge and pardon was renewed, and confirmed to his own mind; and the old countess of Mar obtained a pension for the services she had done him. Notwithstanding those appearances, we learn from the state-papers of that time, that Morton was highly dissatisfied with Elizabeth. She not only rejected all the proposals and requests laid before her by the abbot of Dumfermling, the Scotch ambassador, but required James to give security, to enter into no hostilities against her for a certain number of years; and in the mean while, to conclude a defensive league with England against the popish party and all invaders. Upon the abbot's return with so discouraging an answer, Morton could not conceal his vexation. He had always pretended, that Elizabeth would be directed by him in the affairs of Scotland; but her answer plainly shewed the mistake. Elizabeth endeavoured to excuse herself for her unfavourable proceeding, which she promised to alter, as soon as Morton and her friends in Scotland could take James out of the hands of the French and popish party, which was not in their power to do without her assistance.*

* Buchanan the Historian, as we learn from a letter of Bowes, the ambassador, had, at this time, brought his history down to the

A. D. 1578.
Both armies
take the
field.

Elizabeth, in her usual manner, sent secret instructions to her ministers, Bowes and Randolph, to keep Morton in good humour, and if possible not to suffer him and his friends to be ruined. He saw, when it was too late, that he owed the chief misfortunes he laboured under, to his neglecting those who had the ear of James; and he endeavoured, but without effect, to repair his error. He even prevailed with the king to publish a proclamation from Stirling, importing, "That it was positively his own desire to remain at that place; and solemnly called the Almighty God to witness, that the chancellor, nor any of the lords of the council, had any such warrant from him, by word or writing, for levying of men, as he or they pretended; and therefore willed all his good subjects to live in peace, and not to be misled by such false informations." As the chancellor and the earl of Montrose had apprized the public that James looked upon himself as a prisoner, this proclamation was far from answering Morton's views, and the lords at Edinburgh marched with an army of seven thousand men towards Stirling. We are told that Morton could raise no men but those he hired: but some say, that the army under the earl of Angus amounted to five thousand men. Though there is great dis-

the death of the earl of Murray; and the same ambassador brings as some particular obligation he had received at this time from that great man.

agreement in the accounts, yet Spotswood admits, that the king's army was far inferior to that of the lords; which is the more probable, because of the great pains which Bowes now took for bringing about a pacification. Both armies were then advanced to the neighbourhood of Falkirk. According to some manuscript historians I have seen, and which appear to be contemporary, when the army of the lords lay there, their numbers amounted to about ten thousand; but they were without engineers or artillery to force the castle to surrender, and the person of James must have been endangered in case of a siege: add to this, that an invasion from England was every day expected, under the specious pretext of supporting the young king's authority. Such were the considerations that induced the chancellor and his party, while they lay at Falkirk, to agree to the treaty proposed by Bowes, and consisting of seven articles. The substance of them were, that both parties should immediately dismiss their troops; that before the first of the following May, a grand council should be held, for doing justice to both parties, and for reconciling all differences among the nobility. This pacification, which was called the articles of Stirling, and which was signed the fourteenth of August, restored a sudden and unexpected tranquility to the kingdom. It was published in the king's name and authority.

Terms of
an accom-
modation,

A. D. 1578. rity. It is remarkable, that in the second article he declares himself thoroughly persuaded, that the lords convened with the chancellor, took arms only for the tender affection they bore to him; and the earl of Angus was obliged to renounce his office of lieutenancy, in which the lord Ruthven succeeded him. Morton and his friends returned to James at Stirling, and the heads of the other party to Edinburgh, from whence they retired to their own estates, but had frequent meetings to consult of their future proceedings.*

which
proves inef-
fectual.

The revolt of the Netherlands still continuing, Elizabeth had prevailed with the government of Scotland to suffer men to be levied there for the service of the revolters. One Strachan was directed to raise and command those levies; and, as he was a dependent upon Morton, it was suspected, that he intended to seize upon, and fortify, the high church of Edinburgh, so as to over-awe the townsmen. This surmise, together with some very unpopular alterations of the coin (but, above all, the close detention of James at Stirling) renewed the vigilance of the chancellor; and he brought the nobility and landholders of the great county of Fife to join him and his friends in a bond of associa-

* Sir James Balfour, in his MS. memoirs, says, that the inscription upon the standards of the lords (supposing the king to complain, and them to answer) was,

(King) Captive I am; liberty I crave.

(Lords) Our lives we shall lose, or that ye shall have.

tion.

tion. This determined James to hasten the convention, which had been stipulated by the late pacification, and to fix it to the twentieth of September. The earls of Rothes and Buchan, with the lords Ruthven and Boyd, were named to be arbitrators on the part of Morton and his friends; and those appointed for the earls of Athol and Argyle, were the lords Lindsay, Herries, Ogilvie, and Innermeath. The twentieth of September was fixed for the time of the meeting; and notice was given to the chancellor for that purpose. His answer was, "that he and his friends did not chuse to trust their persons in Stirling; but that they would meet at Edinburgh towards the end of November." He required, at the same time, that some gentlemen who had been lately turned out of their places might be restored; and that his friends might be at liberty to send a messenger to England.

Upon the supposition that James was then of age, those and some other conditions, which the chancellor proposed, were highly disrespectful to his person and authority; and James himself took it amiss that, being his subjects, they should desire to send any messenger to England. He threatened to complain of their contumacy not only to the queen of England, but other princes; and, in the meanwhile, he issued a proclamation for the arbitrators to meet on the day appointed. The

A convention held at Stirling.

A. D. 1578.

Spotswood.

Death of
the chan-
cellor.

chancellor and his party returned no answer to the notices sent to them by the king's order, pretending that he was not at his liberty. Many expedients were tried by the friends of both sides for a reconciliation; and, at last, upon the earl of Morton offering to withdraw himself out of the castle, the other party repaired to Stirling on the twentieth of September. The assembly was opened by a sensible but elegant speech from the throne, which had so good an effect, that all present promised to lay aside their animosities, and to submit their differences to a fair discussion. The chancellor and Argyle presented their complaints against Morton for his conduct during the regency in writing. Being called upon to answer, he put them in mind of the very ample pardon he had received, in which they themselves were parties. He then entered into a full defence of his conduct; and shewed that he had the greatest reason to be dissatisfied with the behaviour of his antagonists; but that he was sincerely willing to bury all differences at his majesty's desire. His moderation had the desired effect; and a seeming reconciliation took place on both parts.

Lord Ruthven proved himself equal to his difficult post of lieutenant of the borders, where he redressed many disorders; but being thwarted by the lord Maxwell, who could neither bear a superior nor equal in those parts,

parts, he brought him before the king at Stirling; and upon a hearing on both sides, Maxwell's wardenship of the borders was committed to lord Herries. Frequent meetings of the nobility were still held at Stirling, and a good understanding seemingly continued; so that the two parties gave each other frequent entertainments. Morton invited the chancellor to one more splendid than common; but the latter survived it only a few days. His friends immediately gave out that he was poisoned, and his body was opened. According to archbishop Spotswood, when the physicians were examined by the council, they declared they did not perceive any sign of his being poisoned; but Moyfes, a contemporary, and exact historian, expressly says that the doctors and apothecaries declared him to be poisoned. However this may be, it is certain that the chancellor's lady and friends formally protested that the proceedings before the council should not prejudice the criminal pursuit, which they intended before the justice-general. The death of the chancellor, who appears to have been the only man in Scotland equal to Morton in abilities and intrepidity, opened the mouths of the public against his supposed murderer, whose interest was now so great, that two poets, one of them Turnbull, a famous schoolmaster at Edinburgh, and the other Scot, a man of wit, were executed at Stirling for composing

A.D. 1578.

1579.

A. D. 1579.

Morton's
severities

composing libels upon his person. The Hamilton family alone now stood in the way of his utmost ambition; and James, whatever his secret sentiments might be, had neither the courage nor means to check him. The countess-dowager of Mar, and the young earl, her grandson, were perpetually founding his past services in the ears of the young king, and the danger to which his person was exposed by the Hamiltons, who had been declared next heirs to his crown. It was at last resolved, by Morton's instigation, to destroy them by law, as having been accessaries in the murders of the two regents, Murray and Lenox, and by executing the sentence of forfeiture which had passed against them, and which had never been repealed.

against the
family of
Hamilton.

As Morton was then absolute at the council-board, this suggestion was soon approved of; and after some debate about the forms of proceeding, the earls of Morton, Mar, and Eglington, with the lords Ruthven, Cathcart, and Boyd, were empowered to seize the persons of the lords John and Claud Hamilton, their eldest brother the earl of Arran being still alive, but continuing a lunatic. Morton still kept on foot a body of mercenary troops; who could be assembled upon six hours warning; but the two lords were advertised of their danger; and the eldest, who was in possession of the estate, and considered as the head of his

A.D. 1579.

his family, made his escape in a sailor's habit to England, and from thence to France, while the other (lord Claud) resided privately in England. Morton proceeded at the head of his mercenaries, and took the castles of Drafen and Hamilton. The garrison of the latter were carried ignominiously prisoners to Stirling, where their commander was hanged. Neither the guilt nor the flight of the two lords could affect the estate of Hamilton, during the earl of Arran's life, unless it could be found that he likewise had incurred the crime of treason; which, though he had been long acknowledged to be a lunatic, was compassed by the infamous sophistry of Morton. The two brothers were declared rebels; and, under pretence that the earl of Arran's lunacy never had been legally proved, he was found guilty of treason, because his two castles were not surrendered upon the first summons. The malice of Morton did not stop at those proceedings, atrocious and barefaced as they were. The chief gentlemen of the name of Hamilton were obliged to give bail not to assist the fugitive lords, and for their being always ready to appear before the council; and even lord John's wife was suffered to enjoy the jointure she had by a former husband only on the like unjust conditions.

The nation, in general, from those violent proceedings, became apprehensive that the pacification

Mary's ambassador refused admittance to her son.

A.D. 1579

cification at Perth was ready to be annulled ; a step which must involve thousands, who were willing to live quietly under the government, in the charge of treason. Morton therefore advised James to publish a declaration, importing, that the late measures which had been pursued were only to revenge the murder of his father and the regents ; and that no article of the pacification should be infringed or called in question. This declaration had not all the effect that Morton expected. The earl of Argyll was declared chancellor in the room of Athol ; and the funeral of the latter being celebrated with great solemnity at Edinburgh, the public talk was revived of his being poisoned. About this time, Mary's French secretary, Monf. Naue, arrived in Scotland, with some presents from her to her son ; and among others, a vest embroidered by her own hands, with a letter, which being directed " To the prince of Scotland," was returned unopened ; he himself was refused admittance to the king, and ordered to leave the kingdom. This barbarous behaviour towards his mother seems to have sunk deep into the mind of James ; and Morton to regain, if possible, some part of his popularity, advised him to call together a parliament to be held at Edinburgh on the twentieth of October. Even this measure did Morton no service. His former misdeeds, and particularly the execution of the

two poets, who were so well beloved by their fellow-citizens, that great intercession had * been made for their lives, were more openly talked of than ever; and Randolph durst not shew his face abroad, lest he should be insulted by the populace. I am inclined to think, that though Naue was denied access to the king, he found means privately to convey some secret dispatches to his hand; and that Mary therein instructed James in what manner he was to behave towards D'Aubigni, who, while the preparations were making for holding the parliament, landed in Scotland.

A. D. 1579.

Arrival

He was a graceful young man, of insinuating manners, and gentle disposition. He came over under pretext of paying his respects to the king, his near kinsman, and as intending to return to France after a short stay; but it soon appeared that a deeper plan had been settled between James and his mother. No sooner did he land, than the enemies of Morton pointed him out as the instrument of his destruction. After being splendidly entertained by the magistrates of Edinburgh, the chief in-

and character of
D'Aubigni.

* "Some people alledged that the king was never inclined to pardon those two poets, because Scot one day, before some company, reading the Stirling articles, suddenly stopped when he was but half way, and being desired to go on, said, "We will what Morton wills, and that is all;" "Nay, said Turnbull and the queen of England too." The satire here was obvious enough to any man who had read the articles; and indeed it is not unlikely that this jest helped the unfortunate authors to the gallows." Crawford's Memoirs, p. 316.

A.D. 1579.

who is made
earl of Le-
nox,

habitants escorted him to Stirling, where the moment he was introduced to James, he became a favourite, and had the title of earl of Lenox conferred on him, together with the rich abbey of Arbroath, to support his rank.

The chief business for which the parliament was called, and which had been adjourned to the fifth of November, was to curb the heat of the ecclesiastics, who insisted upon having the church polity settled according to their own model; and, notwithstanding the king's express orders to the contrary, had censured Morton's archbishop of St. Andrew's for sitting in parliament, and granting collations to benefices. The day before the meeting, James made his entry by the west-gate of Edinburgh on foot; and by his familiar behaviour with his new favourite, all the hopes of Morton's enemies were confirmed. The histories of the times are full of the splendor and pageantry of his reception in his capital, and the prodigious acclamations of joy which attended him to his palace of Holyrood-house. The obstinacy of the ministers still continuing, they met with no redress; and James suffered the council to suspend their censures and excommunications. In short, a visible disgust towards his clergy appeared all of a sudden in his behaviour.

A parliament.

and converted to
protestant-
ism.

This happened at an untowardly time, when he had taken a popish favourite into his most intimate councils. The clergy and the most serious

A. D. 1579.

serious part of the protestants complained loudly of the insolent behaviour of the papists all over the kingdom, where in some places the popish ritual was revived; and in others, the persons and professions of the ministers were reviled. James, to still the clamour against popery, persuaded his favourite first to receive a protestant chaplain into his house, and afterwards publicly to abjure the errors of the church of Rome in the high church of Edinburgh. His conversion was far from giving the expected satisfaction. Dispenations were said to have been intercepted from Rome, by which the papists "were permitted to promise, swear, subscribe, and do what else should be required of them; so as, in mind, they continued firm, and did use their diligence to advance in secret the Roman faith." James easily foresaw the terrible effects which this discovery might produce; for though, perhaps, it was not real, it was entirely consonant to the avowed doctrines of the Romish church. He therefore agreed to, and subscribed, a short confession of faith, drawn up by one Craig, a minister, "Wherein all the corruptions of Rome, as well in doctrine as outward rites, were particularly abjured; and a clause inserted, by which the subscribers did call God to witness, that in their minds and hearts they did fully agree to the said confession, and did not feign or dissemble

Spotswode

A. D. 1579. in any sort." The king's example was followed by all his court and counsellors, and somewhat allayed the fears of the clergy; so that Morton thought he had nothing now to trust to but the friendship of Elizabeth.

Affairs of
the church,

The parliament having resumed its session, several acts passed in favour of the church; but the clergy still insisting that their jurisdiction, privilege, and authority, should be more precisely ascertained than they then were, a commission was given for that purpose to Morton, the chancellor Argyle, the earls of Rothes and Buchan, the archbishop of St. Andrew's, the commendators of Dumfermling, Newbottle, Deer, Culrofs, Mr. Erskin of Dun, superintendant of Angus, Mr. John Spotswood superintendant of Lothian, James Lawson, John Craig, and David Lindsay, ministers, with Alexander Hay, clerk of register, to assemble at Edinburgh on the fourth of April next, and to report their opinions to the king and estates, that the matters in dispute might be settled in parliament. Provisions were made for preventing the young nobility and gentry, who went abroad, from being perverted to popery, and many other popular acts passed, particularly for the relief of the poor, and the suppression of vagrants; but the former forfeitures against the Hamilton family and their friends were confirmed, and their estates were adjudged to belong for ever to the crown, unless

and acts of
parliament.

unless they were included in the pacification. A.D. 1579.
 of Perth. Some laws were likewise enacted
 for the benefit of trade, and particularly that
 the burghs should have an exclusive privilege
 of traffic in the Spanish Low Countries. The
 statutes of this parliament are the last that are
 contained in the excellent collection known by
 the name of the Black Acts.

During the session, or soon after the rising
 of the parliament, the report was revived all
 over the kingdom, that Morton was carrying
 on a private correspondence with Elizabeth for
 delivering the king's person into her hands.
 Perhaps the violent opposition in favour of
 Morton, made by her embassadors to Lenox and
 his friends, strengthened, if it did not give rise
 to, those reports. Morton, who saw he was not
 now in a condition to stifle them by his power,
 complained of them to the council, where they
 were discouraged by James, who seemed to be
 satisfied with Morton's offering to submit him-
 self to a trial; and a proclamation was issued
 against lies, and dispersers of tales tending to
 create discord betwixt his majesty and any
 of his nobility. The proceedings of the coun-
 cil soon made Morton sensible that the storm
 which had been raised against him was far
 from being blown over by this proclamation;
 for in a few days a motion was made in coun-
 cil, that the office of high-chamberlain, which
 had been lain in disuse for many years, should
 be

A.D. 1579.

A body-guard instituted.

be revived; and that he should attend his majesty at all times, with twenty-four persons under his command, all of them the sons of noblemen or barons. The motion was unanimously agreed to; and the post of high-chamberlain was conferred upon the earl of Lenox, who was now Morton's declared enemy, and who nominated Erskine, the governor of Edinburgh castle, to be his deputy. The twenty-four were the sons of the earls of Mar, Argyll, Rothes, and Cassilis; the sons of lord Lindsay, Levingston, Elphinston, Herries, and Ogilvie; the lairds of Coldinknows, Bargeny, Bomby, Kilsyth, Minto, Ballenden, Strathurd, and Moncrief; Mark Ker of Preston-Grange, George Douglas of Rungawy, captain James Stuart, son to the lord of Ochiltree, Alexander Ruthven, the prior of Coldingham, the commendator of Inchaffery, Alexander Hume of North Berwick, and James Chisholm. To these were added the lord Maxwell, and the lairds of Cesford, Ardkinlas, Caprington, Manderston, and Caverstone, who were not to give a constant attendance, but when particularly called by the lord high-chamberlain.

Crawford,
p. 321.Fresh nego-
tiation of
Bowes.

Morton had now recourse to his last refuge, the friendship of England. Bowes had some time before left Scotland to receive new instructions from Elizabeth; but returning all on a sudden, he behaved with great indecency, both to James and the earl of Lenox. Having demanded

A.D. 1566.

manded an audience of the council, he presented to them a general letter; and at the same time, he charged the earl of Lenox, as being an emissary employed by Mary and the popish faction to set her free, to restore the Roman catholic religion in Scotland, and to dissolve the good understanding between the two crowns. Being called upon for his commission and instructions, he refused to shew them, until the earl was discharged from his attendance at the council-board. This disrespectful conduct was very properly reſented by James; and Bowes was not only refused an audience, but Alexander Hume was sent to complain of him to Elizabeth, and demand the meaning of his preferring so atrocious but so general a charge against a nobleman, without producing his commission, or a single evidence of his guilt. He was farther ordered to demand the redress of some hostilities committed by the English upon the Scots, both upon the seas and on the borders. Elizabeth refused to see Hume, but remitted him to Burleigh, who repeated all that had been said by Bowes, and insinuated that other plots were in hand to which James was a stranger.

Deliberations of the Scotch council.

James had, by this time, given to Lenox the important government of Dumbarton castle, which the English party pretended he would make use of to carry the king over to France, and marry him to a French princess.

The

A. D. 1586. The court secretly blamed Morton for all those reports, and he was now abandoned even by lord Ruthven, as well as his nephew, the earl of Angus. It was, however, difficult to fix upon the method of proceeding against him. The general pardon he obtained, screened him from any accusation of what had happened during his regency. To have called in the assistance of France would have been equally impolitic and unpopular; and the nation was in no condition to enter into a war with England. He still lay open, however, to two charges, that of being concerned in the late king's murder, and that of poisoning the earl of Athol. It was thought it would be next to impossible, considering the different opinions of the surgeons and physicians, to convict him of the latter; and upon the return of Hume, without being admitted to an audience of Elizabeth, the former was resolved on. Hume made a faithful report of his conference with Burleigh; and Morton's enemies artfully laid hold of the hint which the English minister had dropt concerning plots, as if he meant that one of them was Morton's carrying the king to England. Some attempts had been made for recalling from France Sir James Balfour, a man of no character or principle, and who had been immediately concerned in Darnley's murder, to give evidence against Morton; and Lenox strongly solicited the return of Ker of Farnihurst,

Farnihurst, who had been always a distinguished friend to Mary, from exile, into which he had been driven by the lord Ruthven. This raised a great clamour, as Farnihurst was one of the leaders of the expedition in which the king's grandfather had been murdered.

A. D. 1584.

Such are the principal transactions of this year in Scotland. The credit of the English court had been weakened there ever since James took the government into his own hands; and I find but few of those papers of intelligence with Elizabeth's ministers that throw great lights upon the affairs of Scotland; and the materials of civil history for this period are but scanty among the Scotch writers. I perceive, however, that the high favour in which Lenox stood with James, gave umbrage even to Morton's enemies; and they pushed forward young Stuart, commonly called Captain, to counterpoize his credit. James behaved towards both with great equanimity; but with greater familiarity towards Lenox than his rival. Stuart being rash, forward, unprincipled, and ambitious, was pitched upon as the instrument of Morton's destruction. While that earl was sitting at the council-board with the king, Stuart demanded an audience; and being admitted fell upon his knees, and expressly charged Morton with being concerned in the murder of the king's father. To

Morton accused of Darnley's murder.

1581.

A. D. 1581.

corroborate his accusation, he appealed to all the board, whether in the time of his regency he had not preferred his friend Mr. Archibald Douglas to a seat in the College of Justice, though it was openly known that he was personally active in that atrocious fact. Morton affected an air of contempt at the charge, appealed to the severity with which he had always prosecuted the murderers of the late king, and offered to submit himself to a trial, in hopes that when found innocent his majesty would treat his accusers as they deserved. James ordered both parties to retire; and the earl, after being confined that, and the following, night in his own house, was on the second of January committed prisoner to the castle of Edinburgh, with orders that none should see him excepting four servants, who were appointed to attend him. Some precipitancy may be observed in this proceeding, since no previous measures had been taken to secure Archibald Douglas, who had time to save himself by flying into England.

Interposi-
tion of Eli-
zabeth dis-
regarded,

Elizabeth and her ministers had never believed that James would venture to imprison Morton, and the news gave them infinite disquiet. Randolph, who was then in England, was immediately dispatched with fresh instructions to represent to James and his council the vast services that had been done by Elizabeth to their country and the king's own person, the

the danger of being governed by French councils, and the necessity of sending Lenox out of Scotland; but the chief point he was to labour was to procure the liberty of Morton. Randolph was admitted to an audience of James, to whom he opened his instructions. James heard him with great calmness, and gave him a very civil answer as to what regarded his mistress; but hoped she would excuse him, if he admitted no interposition to take place in a matter that concerned him so nearly as the bringing to justice the murderers of his father. Randolph being dismissed with this answer, demanded an audience of the states, which were then sitting. He there repeated his commission, railed against Lenox, and insolently promised the lords the protection of his mistress, even to the hazard of her crown, if they would of themselves drive Lenox out of Scotland. His being dismissed from his audience with impunity is to be attributed rather to the hatred the great lords bore towards Lenox, than their affection for Morton. We are told, however, by Camden, and other writers, that Randolph found means to engage a very considerable party for driving Lenox out of Scotland, and, they add, for setting Morton at liberty, but this is by no means probable; for however they disliked Lenox, they knew Morton too well, and had proceeded too far against him to trust him with his liberty. The earl of An-

A.D. 1581. gus, it is true, was unwilling that his uncle should be brought to the block, as was his friend the earl of Mar; but the steadiness of James, and the resentment of Mary's friends, baffled all the attempts made either against Lenox, or in favour of Morton; and whatever the real character of James was as to personal courage or constancy, it cannot be denied that he proceeded in this affair with a resolution and dignity that would have done honour to the most exalted character.

as is that of
the prince
of Orange.

Though the prince of Orange had been persuaded by Elizabeth to send a minister on pretence of complimenting James upon the valour of his subjects in the Netherlands, but in reality to solicit the expulsion of Lenox, and the liberty of Morton, yet his application was rejected with great firmness; but James omitted no opportunity to declare that Morton should have a fair and regular trial. Randolph continued his intrigues in the most violent and seditious manner; and the reader will find in the notes one of the addresses * he made to

* "The queen's majesty, my sovereign, hath been a friend unto this country, ever since she came to her crown. She hath borne a special love unto the king ever since he was born, and singular care of his country. She hath never sought a foot-breadth of the ground of Scotland, nor hurt the liberties thereof. That she never sought to draw the king out of his own country into England, or elsewhere, as her enemies then about his grace had given forth, and taken colour thereupon to trouble others. That she had spent her treasure, and the blood of her people, to save Scotland from the conquest of France. That she had means
enough

the council. It is of a nature so disrespectful, A. D. 1521.
that he was publicly affronted; nay, the aver-

enough to have entered and conquered the country (if she had fought it) when the king was young, his mother in England, and all the nobility and people of Scotland were divided, and in distress. That she might have taken occasion of just revenge, when her officers and subjects were slain, in her own realm, at the Redwyre. But the contrary disposition had ever been in her majesty, through the care she ever hath had to preserve the king and his country, by reason he was her nearest kinsman, her nearest neighbour, in one island: and that few other princes in the world agreed with them, and their subjects, in professing one religion. That she found the thankful minds of all his regents in his tender age; and they found her assistance. That she found the king ever-loving and affectionate unto her, until now of late within this year or more, that the lord d'Aubigni, being purposely sent hither to dissolve that happy unity and love between their majesties, had so far prevailed, as, &c. That he was become master of his grace's person, of his ear, of his council, and of his whole estate. That he had alienated his grace's mind from the amity of England, and to think nothing pleasant but the motion of France; from whence he never got a good turn, not so much as to call him king.

That he had brought his grace to enter into suspicion, and cast off all such his own subjects as had preserved his life and estate unto these years. That he had made his grace call home, and cast himself into the hands and council of such as were ever enemies to his estate and authority. That he pressed him to make war with England, although it would offer peace, and keep it with him. That he had brought his grace to be weary of his ministers, and to think them factious and railers. That he had brought him to be more dissolute in speech: nay, will teach him worse conditions, as may appear, to marry some papist: yea, to leave the land if needful, wherever he will have him to go.

“That in the mean time, no sound advice was taken for the quieting of the borders; for punishing the murders, nor mischiefs, nor how the king's estate should be maintained; but for poverty to drive him to leave the realm, or to seek the lands and lives of his nobility and barons.”

He proceeded after all this plain language thus: “The queen's majesty, my sovereign, hath cause to take this in heart; seeing what the loss of such a young and noble prince, of so religious
and

A. D. 1581. sion of the Scots against him became so intractable, that he was obliged to fly to Berwick; and if we are to believe himself, in a letter to Wilton, one of Elizabeth's secretaries of state, a gun was discharged into his room with an intention to assassinate him. Elizabeth ordered her troops upon the borders to take the field; and James being apprehensive of their being joined by the earl of Angus and the enemies of Lenox, ordered Morton to be removed from the castle of Edinburgh to that of Dumbarton. This gave great offence to the clergy, who seemed now to have laid aside all their resentment at Morton, through their apprehensions of popery; and they complained that the two most determined enemies he had in the world, Erskine and Lenox, had been made his keepers. James, without regarding their clamours, ordered his own and his mother's friends to form a kind of an army of observation upon the borders; but, according

and virtuous expectation, being so near, her cousin and neighbour, may work to her; she means not to seek to remedy it by her own force, or by any device of hers, if the nobility of Scotland will do it themselves. And in the doing whereof she will counsel, favour, and assist them, even to the hazard of her own crown.

"Thus, my very good lords, the care I have of the king himself, the love I bear to your country, the inconveniencies like to follow on both, the likelihood of the overthrow of religion in time, and the breach of amity between the two realms, moveth me thus earnestly to speak, and further to proceed otherwise than I would, if I had not to do with those whom I both honour, love, and am ready to serve." Strype, vol. ii, p. 621.

to some writers, the public tranquillity was preserved by the moderation of Morton himself, who earnestly dissuaded his nephew from attempting his rescue. In the mean while, the lord Seaton's son was sent by James to complain to Elizabeth of Randolph's conduct; but he was suffered to proceed no farther than Berwick. A.D. 1532.

During Morton's imprisonment, James, according to the custom of the times and country, had ordered the gentlemen of his name, and his other dependents, to give security for their good behaviour; and many of them were sent to prison, or confined to particular districts of ground. Stuart, without the smallest pretext of any other public service than that of being the instrument of accusing Morton, obtained the earl of Arran's title and estate, which had been so unjustly forfeited, and behaved with unsufferable insolence to all about him. In a convention of the states, which met at Edinburgh on the 20th of February, the earl of Montrose was made lieutenant of the borders; but he declined to accept of the post, unless he had a guard of five hundred horse, and two hundred foot, which was constantly to attend his person, besides nine hundred soldiers, who were to serve as occasion should present, and a power to summon all the gentlemen and land-holders in the neighbourhood to his assistance. The proceedings against Morton were stained

Proceedings
against Mor-
ton's friends

A. D. 1581. stained by the inhumanity of the new earl of Arran, for so he is called in history. He apprehended and put to the torture, but without being able to obtain any particular confession, Auchinleck of Balmanno, nephew to the earl of Morton. The points he was questioned upon were concerning the death of the earl of Athol, the conspiracy for seizing the abbey of Holyrood-House and sending the king to England, and an intention of firing, at several quarters, the town of Edinburgh. One Lawson, a favourite servant to Morton, was apprehended at the same time; but he escaped the rack, by telling all he knew of the conspiracy, and by discovering the place where great part of Morton's treasure was concealed. Archibald Douglas offered to surrender himself to his trial in Scotland, provided he was not put to the rack; but the condition was refused, on pretext that it did not consist with his majesty's honour to treat with his own subject, and that his crime could be proved only by torture. All the friends of the earl of Morton who did not obey the summonses sent them, were declared guilty of treason; and the earl of Angus was ordered to retire by north the river Spey, and to surrender the castles of Tantullon and Douglas; but I do not find that he paid any regard to these summonses, for he was denounced a traitor.

Moyles.

Ibid.

Those

A.D. 1582

Those practices, particularly that of torture, must be acknowledged to be unjust and infamous to the last degree; but the writers who exclaim against them in the case of the earl of Morton, ought to reflect that he himself had set the example; that Elizabeth had proceeded, or threatened to proceed, against Mary's friends and servants in the same manner; and that it was a common practice all over Europe. In April young Seaton returned to Edinburgh; and before the end of the month James took possession of Dalkeith; where it was resolved to bring Morton to his trial at Edinburgh; and the convention of estates voted a considerable subsidy to the king for resisting foreign invasions; meaning that threatened from England. These vigorous measures dashed in pieces all the designs which Elizabeth had formed to intimidate Morton's enemies. The more formidable her preparations were, the Scotch army upon the borders and other parts of the kingdom encreased; so that Elizabeth sent orders to her generals, the earl of Huntingdon and lord Hunsdon, to stop at Berwick; and the earls of Montrose and Arran were sent with a strong body of forces to bring Morton from Dumbarton to his trial at Edinburgh; which they did on the twenty-ninth of May, on which night the earl of Orkney, whom Morton had imprisoned, was set at liberty.

Morton
brought to
his trial.

A. D. 1581.
condemned,

Spotswood.

We are somewhat in the dark as to the particulars of Morton's trial, which began on the first of June in the Tolbooth of Edinburgh, because the records of the court of justiciary for that time are lost. When the two earls arrived at Dumbarton, and shewed their commission, Morton was surpris'd at finding in it the earl of Arran's name; and being informed who he was, "And is it so (said he)? I know then what I may look for!" Moyse, who had served above thirty-seven years in a considerable place at the court of Scotland, says, that Morton was accused of several other treasonable crimes besides the murder of the king's father; and in this he is countenanced by a letter from Randolph to the lord-chancellor of England, importing, that he was not only accused of Darnley's murder, but of poisoning the earl of Athol, intending to have taken the king prisoner, and to have murdered the earls of Argyle, Lenox, and Montrose. Being brought into the court, and the names of his jury being read, he objected to the earl of Argyle, lord Seaton, and the laird of Waughton; but assigning no special cause of exception, they were admitted to sit upon their oath of purgation. Nor indeed do I see with what propriety he could except against the earl of Argyle, who but a few days before had, together with the earl of Montrose, the foreman or chancellor of the jury, been engaged in a plot to rescue him. The names of the jury were,

OF SCOTLAND.

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A.D. 1512.

were, Colin earl of Argyle, lord Campbell and Lorn, John earl of Montrose, Andrew earl of Rothes, James earl of Glencairn, Hugh earl of Eglington, Alexander earl of Sutherland, George lord Seaton, James lord Ogilvie, John lord Maxwell, Hugh lord Somerville, James lord Innermeith, Alexander master of Livingston, Alexander master of Elphinstone, Sir John Gordon of Lochinvar, knight, Sir Patrick Hepburn of Waughton, knight, Sir Patrick Learmont of Dairfie, knight, and Sir William Livingston of Kilfyth, knight. According to Moyse, several evidences were examined: some papers produced under Morton's own hand, and the depositions of some persons who had been actors in Darnley's murder, were produced against him. The evidence being closed, the jury withdrew for about a quarter of an hour, and brought the prisoner in guilty of counsel, concealing, and being art and part of (assisting in) king Henry's murder. Upon the words "art and part" being pronounced, he struck the ground with his cane, and repeating the words, he added, "God knows it is not so!" But he heard the sentence commonly pronounced upon traitors (which he was to suffer next day) with his usual intrepidity, and a disdainful smile.

Being remitted to his prison-house, he was visited next day by Mr. Lawson and other preachers, to whom he made the confession

and execut-
ed.

A. D. 1481.
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His confession
considered.

which I have so amply considered. I shall only here add, that no mention was made by him of the silver-box papers, though in his last moments he omitted nothing that could load Mary, or extenuate his own guilt; and his reverend attendants, to whom he had become a favourite out of hatred to the earl of Lenox, had any such mention been made, would not have failed to have published it in the most effectual manner. His total silence likewise with regard to Mary having any concern in her husband's death is the more remarkable, as he must have been perfectly well informed of every circumstance relating to that atrocious fact, and especially with regard to Hubert's dying words and behaviour. In short, it is against every evidence of common sense to imagine that her capital enemy on account of her concern in that murder would have been totally silent as to her guilt, could he have fixed the least suspicion upon her innocence. He went to death as a great and a brave man ought to do, exculpating himself in every circumstance that could admit of alleviation, deeply sensible of his private crimes, and penetrated with the most affecting piety. As to his character, enough has been said of it in the course of this history; nor can the greatest favourer of his memory pretend that what he voluntarily confessed did not sufficiently justify the sentence pronounced against him, as concealing and being concerned
in

In Darnley's murder, though he did not personally assist at it. A. D. 1581.

A certain reverend historian pronounces the whole proceedings of Morton's trial to have been violent, irregular, and oppressive. Without entering into any particular examination of facts, I will venture to pronounce, though we have not the original proceedings, that enough has come to light from the concurrent testimonies of different and contemporary historians, to prove it to have been a more fair, regular, and candid trial than any that precedes it in the annals of Scotland. "The jury, says the same gentleman, was composed of the earl's known enemies." As an answer to this fact, I must observe, that Morton's conduct had made every man in Scotland who wished well to the honour and independency of his country, his enemy; and perhaps twelve honest Scotchmen of rank or fortune, who were his friends, could not have been found. Besides, the reverend historian's allegation is vague, and, for a reason I have already hinted at, improbable; for his capital enemy, the earl of Lenox, had more enemies in the jury than Morton himself, who must have been acquitted, had not the evidence against him been very strong. But, says the same historian, "During the trial, great bodies of armed men were drawn up in different parts of the city." In answer to this objection, James must have been worse than a madman, had he not

Dr. Robertson.

The form of his trial vindicated.

A.D. 1581. not taken that precaution at the trial of a nobleman, who but a few months before kept bands of mercenaries in his own pay, and whose nephew and avowed friend was then living in a state of rebellion, and the head of, perhaps, the most powerful family in Scotland; not to mention that the English army, for aught that James knew, might at that time have been advancing to the gates of his capital, to have rescued him. Upon the whole, it appears that Morton was executed upon full, clear, and impartial evidence; and he deserved death, if any traitor to his king and country ever did.

Consequences of Morton's execution;

Morton's body lay for some time indecently exposed, covered with a beggarly cloak, and was afterwards interred in the common churchyard. He was of a mean stature, but had an agreeable countenance, nor was his contempt for Arran affected; for he treated him with the greatest disdain in his last moments, when he sought to be reconciled to him, and desired him to sign a confession. The day after his death, one Binning, a servant of Archibald Douglas, and an assistant, as appeared by his own confession, with his master in Darnley's murder, was executed at Edinburgh, but without the smallest imputation upon Mary's honour. A few days after Morton's execution, his title was given to the lord Maxwell, who soon dropt it, and his estates of Dalkeith and Aberdour to the earl of Lenox. Other parts

parts of the earl of Morton's immense fortune were bestowed upon different persons at the same time ; but if we are to believe Crawford, one of his natural sons secreted the greatest part of his money, which never could be recovered, though many of his servants were tortured on that account ; and he had reserved so little to himself, that when he came to the place of execution, he was obliged to borrow twenty shillings to divide among the poor.

A. D. 1582.

Morton's rival, the new-made earl of Arran, was perhaps the only man in Scotland who equalled Morton in profligacy of life ; but was far his inferior in abilities, and the arts of government. He had long lived in a criminal correspondence with the countess of March, whose husband had been his kind friend and patron ; and though she was then with child by Arran, she obtained a divorce from her husband for a natural failing that could not produce pregnancy. The divorce was sustained, and the parties were publicly married, leaving it difficult to decide which was most infamous, she for her incontinence, or he for his ingratitude. He continued, however, to be a useful tool to Morton's enemies, and those of the house of Douglas. He took every opportunity, even in council, to which he had been admitted a member, to magnify his services, and expatiate on the dangers he had run in bringing Morton to justice, and his assiduity

The earl of Arran's profligacy.

A.D. 1581. duty in torturing that nobleman's domesticks, that they might discover their master's treasures. A parliament was at this time proclaimed to be held first at Edinburgh, then at Glasgow, and then at Edinburgh again on the twenty-fourth of October.

His differences with Lenox at the meeting of the parliament.

In the intermediate time the giddiness of the governing party was incredible; and it is surprizing that Elizabeth did not avail herself of the open differences that now broke out between Lenox and Arran. The gentle mild temper of the former did not oppose the arrogance and impetuosity of the latter, when he demanded to be solemnly created earl of Arran, (he having before only assumed the title) which was accordingly performed. The affections of James, however, rested with Lenox, who was now created and proclaimed duke of Lenox, earl of Darnley, lord Torbolton, Aubigny, and Dalkeith, and high-chamberlain of Scotland. The return of the baron of Farnihurst from France, and his receiving a pardon by the intercession of Lenox, created fresh differences between the two favourites; and Arran, as captain of the guard, disputed the duke's right to admit persons into court, or to exercise certain offices of state upon the meeting of the parliament on the twenty-fourth of October. Upon this occasion, besides the promotions I have already mentioned, the lord Ruthven was created earl of Gowry.

The

The opening of the parliament was very splendid; and Arran finding that the credit of Lenox was not to be shaken with James, openly declared his grievances, and his dislike to the favourite, who hated him, as he pretended, for being a sincere protestant, and an opposer of popery. Those declarations did him little service, except with those who were, in all events, resolved to destroy the credit of Lenox, and with some of the lowest of the people, who were captivated with his seeming devotion, and that of his infamous wife. He received a fresh mortification every day the parliament met, by the honours which were accumulated upon the duke of Lenox; and finding himself in no condition to contend with his rival, he employed his friends to make his peace with the duke, by offering to resign the command of the guard. While this parliament sat, Archibald earl of Angus, Mr. Archibald Douglas, John Carmichael, younger, of that ilk *, Hugh Carmichael his son and apparent heir, James Douglas, sometime prior of Pluscardin, and Archibald Douglas of Pittendriech, natural sons to the said earl of Morton, George Douglas of Parkhead, James Douglas his son, Malcolm Douglas of Mains, Archibald Douglas, sometime constable of the castle of Edinburgh, and Hector Douglas, were forfeited; and against one of the Douglasses

Forfeitures
in the same.

* Ilk signifies that the name of the man and his estate are the same.

A. D. 1581. it was alledged, that he had solicited the English to invade Scotland with ten thousand men, if the late earl of Morton was not immediately released. The earl of Mar, though he had warmly espoused Morton's cause, was too powerful in his personal credit with James to be attacked, and was confirmed in all his places.

Diffensions
between the
two fa-
vourites.

The differences between the two favourites were now risen to such a height, that the duke of Lenox thought proper to absent himself from parliament; and the earl of Huntley carried the crown before the king in his stead, as the earl of Argyle did the sceptre, and the earl of Athol the sword of state. Arran continued still to express great fears lest popery should be restored. Their diffensions occasioned others in the church; for Lenox was the patron of episcopacy, against which the clergy was labouring with inexpressible zeal. The pains of excommunication were denounced against all who did not resign the office of bishop, or who did not obtain a licence from the assembly for preaching or administering the sacraments. James had received early prepossessions in favour of episcopacy, as if the order of bishops had been the bulwark of the throne; and the late regent, as we have already seen, from motives of avarice and ambition, had never given way to their abolition. Adamson, a man of character in learning and poetry, had succeeded Douglas in the see of St. Andrew's,

A.D. 1582.

drew's, and had refused to submit to be either examined or licensed by the assembly. This created great heats between Adamson and Melvil, who was backed by almost the whole body of the clergy; and, at last, upon their threatening to proceed to excommunication, Adamson submitted to some points that were thought to be incompatible with the dignity of a metropolitan, particularly his owning himself inferior in church jurisdiction to his adversaries. This did not satisfy Melvil and his party; and he was again summoned to appear before the assembly at Edinburgh to answer to the following charges: "First, That he having submitted himself to the assembly, went immediately after his submission, and voted in parliament. Second, That he has given collation of the vicarage of Boltoun, having no power of visitation in the bounds where the said vicarage lieth. Third, That he hath agreed to all the heads of polity excepting four, and yet opposed the same." Not contented with raising this persecution, his enemies accused him of having consulted the devil for the recovery of his health; and an old woman was imprisoned for a witch, because she had advised him to some simple remedies.

James was at this time at an age the most dangerous for the impressions of the mind. Being emancipated from the corrections of a severe schoolmaster, who had treated him with

James imbibes arbitrary principles.

A. D. 1581. as little ceremony as if he had been the son of a tradesman, he found himself, all of a sudden, surrounded with sycophants and flatterers, who wanted either to be protected, or advanced by his royal favour. Though his two favourites mortally hated each other, and were of different principles, yet they agreed in the adulation they paid to their master, and in inculcating into him the highest opinion of his prerogative and regal dignity. This, therefore, may be justly termed the period of James's life when he imbibed the absurd notions of government that disgraced his reign, when he succeeded to a more powerful throne than that of Scotland. The more he had been confined before, he gave the greater loose to the ideas of his own state and importance; and they became now so familiar to him, that they still returned with double force, after the several checks they received. The principles of the duke of Lenox were entirely in favour of arbitrary power, and abhorrent of a parity in the church. He therefore advised James to support Adamson with a high hand; but a similar case happened in which the duke was more immediately concerned.

Ecclesiastical affairs.

The see of Glasgow became vacant (for Mary's ambassador in France was then no more than a nominal archbishop); and a preacher, one Montgomery, a vain, weak, venal, man, but a furious adversary to the order

der of episcopacy in Scotland, accepted of it, A.D. 1581.
 through the interest of the duke of Lenox, whose friends had chalked out that method for his gaining an interest in that city, with all the lands and revenues that belonged to the archbishopric, excepting a small stipend of about seventy pounds sterling a year, and some perquisites, which were to be allotted to Montgomery. The clergy, exasperated at his apostacy, proceeded more vigorously against him than they had done against Adamson; but he was supported by James, who said that the church government by bishops should be valid, until his perfect age, or until a change was made thereof in parliament; and that Montgomery's admission into the archbishopric should be good, unless his adversaries could charge him with some fault in doctrine or life. They drew up a set of articles accusing him of both; and after various proceedings against him, in which he was strongly supported by James, who more than once threatened his prosecutors with the penalties of treason, the Spotiswood. assembly found him guilty of corruption in doctrine, dissoluteness of life, contempt of the church's sentence, falsehood and breach of promise, lying, perjury, moving of sedition, and stirring up certain of the nobility against the church. Of all these he was declared culpable, 1582. and ordained, therefore, to be deprived and cast forth of the church. This resolute proceeding

A.D. 1582. ceeding daunted Montgomery. He renounced an appeal he had made to the king and council, confessed his offences, submitted to the assembly, and promised to be no farther concerned with the archbishopric of Glasgow. Upon his coming to court, finding that he was frowned upon by the king, he offered to retract his submission; and obtained letters from James directed to several gentlemen in the neighbourhood, requiring them to assist Montgomery in repossessing himself of his archbishopric. This was done so effectually, that a minister, Howeson, one of his chief opponents, was pulled by the provost of Glasgow from the moderator's chair, and thrown into the common prison.

Opposition
of the
clergy to
the king.

This, and other proceedings of the same kind, created an inexpressible ferment in the nation. A fast was proclaimed; the pulpits resounded with invectives against the duke of Lenox; and Dury, one of the Edinburgh preachers, was ordered to be driven from his flock. The opposition made by the clergy to those proceedings were so steady, that James was startled; and Montgomery was actually excommunicated by one Davison, a preacher, whose sentence was approved of.

Association
formed a-
gainst the
favourites.

The earl of Arran seeing James intimidated at the resolute stand made by the clergy, pretended great submission to his master's will; and again offered to give up his captainry of the

A.D. 1532.

the guard, which was willingly accepted of by Lenox. He then craved leave to retire from the court, and to live privately for five years, retaining only the power of composing some differences among his friends and neighbours. James prevailed with him to remain at Edinburgh; and, at last, a reconciliation was effected between him and the duke of Lenox. The hunting-season drawing near, James, who was extremely fond of that diversion, went to Athol, and left his two favourites at their respective country-houses, being himself accompanied only by the earls of Athol and Gowry. He had of late been so much engrossed by the duke of Lenox, that the other nobility began to consult about their own safety; and some of them, who kept up a correspondence with Elizabeth's ministers, were secretly (and I believe with truth) advised, that Lenox was charged by the pope, and the Roman catholic princes on the continent, to revive Maitland's scheme of his holding his sceptre in conjunction with his mother. As this must have been dangerous to many even of Mary's friends, and as preparations were actually making by the duke of Guise to second the negotiation, if needful, with arms, the great nobility entered into an association for taking James out of the hands of his two favourites. Even the internal government of the kingdom rendered this necessary. The duke of Lenox was persuaded,

A. D. 1582. suaded, as lord high-chamberlain, to revive the obsolete claims of his office over the burghs of Scotland; many of the most oppressive feudal laws and customs were revived; and the landholders were fined with the greatest severity in the smallest failure in form, as vassals to the crown.

The raid of Ruthven, where James is made a prisoner.

Such was the civil and ecclesiastical state of Scotland, when John earl of Mar, William earl of Gowry, Patrick lord Lindsay, Robert lord Boyd, the masters of Glamis and Oliphant, the abbots of Dumfermling, Paisley, Dryburgh, and Cambuskenneth, the barons of Lochleven, Yester, Wemys, Cleish, with the constable of Dundee, and all their friends, resolved, upon their king's return, to petition him that he would put himself into the hands of his nobility, and look upon the duke of Lennox and earl of Arran as the springs of all the public discontents. This association was not so secretly carried on as not to come to the ears of the two favourites; and on the twenty-third of August; the earl of Arran and his brother set out to Ruthven, where James was on his return, with about forty horse to escort him to Edinburgh. They were intercepted and dispersed by the earl of Mar with a superior force; and the earl of Arran being taken, was sent prisoner to Dupplin. James now found himself a prisoner; but he dissembled his surprise and indignation, when the lords associators

tors presented the petition they had prepared, and the reasons for their proceeding. Pusillanimous as he was, he made an effort to leave the room, but was prevented by the tutor of Glamis; upon which James burst into tears. "It is no matter of his tears, (said Glamis to his companions) better that children should weep than bearded men;" a saying which is said to have entered so deep into the king's mind, that he never forgot nor forgave it. Notwithstanding this rudeness, and their dismissing such of the king's attendants as they disliked or suspected, yet the conspirators, in other respects, behaved with wonderful moderation. The life of the earl of Arran, though very obnoxious, was spared at the request of his friend the earl of Gowry; and they prosecuted their resentment no farther against the duke than to beg that James would order him to retire quietly to France.

When the news of the king's detention came to Edinburgh, nothing could exceed the consternation of the public; but the conspirators, to preserve appearances, suffered him the day after he was confined to repair to Perth. In the mean while James, who was more solicitous for the safety of the duke of Lenox than apprehensive of danger to his own person, agreed that a proclamation should be published in his name, declaring, "That for pacifying the present commotions, and removing some

A proclamation published.

A. D. 1582. differences fallen out amongst the nobility, his majesty had thought it expedient to interpose himself a mediator; and, for the better working of an union amongst them, had resolved to make his residence in Perth for a time, till he saw what good effects his travels might produce. And, lest his stay in those parts should be interpreted to be a detention of his person, because of the noblemen and others that had lately repaired to court, his majesty declared, that it was his own free and voluntary choice to abide there; and that the noblemen and others who did presently attend, had done nothing but what their duties obliged them unto, and which he took for a good service performed both to himself and to the commonwealth. Therefore inhibited all the subjects to attempt any thing that might tend to the disturbance of the realm; commanding them also that had levied any forces upon pretext of his majesty's restraint, to dissolve the same within six hours, under the pain of death." This proclamation was dated at Perth the twenty-eighth of August.

Message of
the duke of
Lenox,

The duke of Lenox all this while was not idle. He sent some noblemen to know from the king's own mouth whether he was a captive; but they could obtain no audience of him except in council. They there delivered their message; and informed James that the duke would use every means to procure him his

his liberty, if he was a prisoner. James called out aloud that he was; that he desired all his subjects to know that he was; and that the duke should do all that he could to effect his deliverance. His exclamations made no kind of impression upon his keepers; for they told him, with great coolness, that he might go where he pleased, provided the duke of Lenox and the earl of Arran intermeddled no longer in public affairs. They advised him, at the same time, to order the duke to repair quietly to France; otherwise they would hazard their estates and lives in bringing him to justice. All this passed in the presence of the messengers sent by Lenox, who were desired to make their report according to what they had seen and heard.

The duke in the mean while acted with a spirit of gratitude rather than resolution; and the imprisonment of the king created such public indignation, that he must have been at the head of a considerable army, had he not received an order from the king to leave Scotland before the twentieth of September. The duke, who seems to have been formed of soft materials, though he knew James to be a prisoner, and that the order was extorted from him, paid such regard to it, that he retired to Dumbarton, where, by the advice of his friends, he was to determine whether he should go to France, or attempt the deliverance of

who is ordered to depart the kingdom,

A. D. 1534.

James. Even at Dumbarton, noblemen and gentlemen flocked to him in such numbers, as gave umbrage to the lords who detained James; and the duke's attendants were ordered, all but forty, to depart within twelve hours after notice, and not to come nigh the place where the duke should reside while he was in Scotland. The duke lost all spirit after this intimation; and he sent the lord Herries, with two other gentlemen, to demand an assurance of his personal safety, if he should comply with the order sent him. The answer, after mature deliberation, was as follows: "If the intention of the assurances craved for the duke of Lenox be, that he may safely depart out of the realm, the same shall be granted, he departing at what port or haven of the realm he pleases, betwixt and the twentieth of September instant, and remaining in the mean time quietly, accompanied with forty persons, either at Dalkeith or Aberdour, until he be ready to take shipping, and giving, at the same time, his writing and warrant for rendering of the castle of Dumbarton into the hands of John earl of Mar, to keep it for his majesty's safety; and to be delivered again into the hands of William Stuart of Caverston, present captain of the said castle, within fifteen days after the said duke's departure: until which twentieth day of September, he shall be assured in such sort as he himself shall devise,

And

Mayes,
p. 64.

And after his departure, the arms shall be left, A. D. 1554.
provided an answer be returned of his acceptance and performance hereof. And that the king's consent, and the duke's promise under their hand-writs for the performance of the same, be delivered betwixt and Thursday night, the sixth of September instant; otherwise no assurance can be granted."

While the duke was deliberating what reply to make to this very peremptory order, the earl of Arran was examined in prison; and George Douglas, the same who had assisted Mary in her escape, was arrested at Stirling, whither he came at the king's request, and examined upon the project of associating his mother with him in the government, which seems to have been the great object of dread to the detainers of the king's person.

As the prevention of a war with England was one of the reasons given for restraining the liberty of James, and driving the duke of Lenox out of Scotland, the associated lords expected great matters from Elizabeth; but they were disappointed, though all Europe considered the detention of the king's person as the effect of her management. Her usual dissimulation never forsook her; and she sent her cousin, Sir Henry Cary, to Scotland, to learn the true state of that king's affairs. Cary was admitted to an audience; and found means privately to tell James, who had not spirit enough

Elizabeth
sends an
embassador
to Scot-
land.

A. D. 1582. enough to declare himself openly, that Elizabeth alone should know the result of the audience; upon which James whispered in his ear "that he was a prisoner." Cary, in the name of his mistress, desired that the earl of Angus, who then lived in exile in England, should be recalled, which was readily granted. Cary then, according to his instructions, insinuated to James, that the noblemen and gentlemen who had sequestered him from the duke of Lenox were his best friends; but he gave to this suggestion only a general answer, because he looked upon Elizabeth to be the main instrument of his captivity. He still entertained some hopes that his keepers might be softened with regard to the duke of Lenox; but he found them inexorable on that head.

Oct. 2.

A convention of the states.

All the interest and popularity of the lords who imprisoned James, could not quiet the uneasiness of the people at his detention; and therefore it was thought expedient that he should be carried to Edinburgh, where he was to act as if he had been entirely at his liberty. After arriving there, he was suffered to preside in the council, and give judgment upon some trifling disputes that had arisen between the magistrates and the burghers of the town; but upon various pretences, permission was obtained from a convention of the states, which sat at Holyrood-house, that a guard of two hundred horse and two hundred foot should be raised

raised for the protection of the king, and the noblemen who had him in charge. The members of this convention were the earls of March, Errol, Marischal, Glencairn, Mar, Eglington, Rothes, Morton, Gowry; the lords Home, Lindsay, Yester, Sinclair; the bishops of St. Andrew's, Orkney, and Dunkeld; the abbots of Dumfermling, Newbottle, Deer, Cambuskenneth, Dryburgh, Inchaffray, Coldingham, Paisley, Culrois; the comptroller, clerk of register, justice-clerk; the master of Glamis, the master of Oliphant, the provost of Dundee; the commissioners of Edinburgh, Perth, Stirling, Haddington, St. Andrew's, and Irvine. The members applied to the general assembly, who approved of the king's detention, and of all that had been done at Ruthven; and they themselves passed another vote to the same purpose, containing a full pardon and indemnity for all acts of government they had performed without the royal warrant, and pronouncing the same to be of good service to the king and kingdom. As to James, though he was fully sensible of his own condition, yet he was frightened into a seeming approbation of all their proceedings; and so vigilant were they over their own purposes, that they would not admit the duke of Lenox to take his leave before his departure.

The earl of Arran still continued in prison; but was set at liberty, to reside to the northward

The duke of Lenox returns to France.

A.D. 1582. ward of the river Erne, when it was known that the duke of Lenox was landed in France; and some conditions were likewise required of the earl of Angus for the better keeping the public peace, before his restitution could be compleated. In the beginning of December, the earl of Arran broke his confinement so far as to have a meeting with the earls of Athol, Montrose, Crawford, and others, after which the court was filled with daily accounts of conspiracies and intended assassinations. The duke of Lenox still hovered about Blackness, Dumbarton, Callender, and other places, where he could find shelter, in hopes of once more being admitted to James, to the inexpressible terror of the associated lords. Express upon express were dispatched in the king's name to hasten his departure; and he was even threatened, if he did not comply, to be treated as a rebel. He still lingered in Scotland, sometimes on pretence of health, and sometimes of being destitute of common necessities and cloathing; but, at last, a pass being procured from Elizabeth, he was forced to take his journey, with twenty-nine horse in his train, through England for France, where soon after his landing he died of a broken heart.

1583.
An embassy
from
France.

Early in the year 1583 two ambassadors arrived from the French court; but Elizabeth, in their passage through England, ordered Davison, one of her secretaries, to attend them, that

that he might watch their proceedings. Their business was to complete a negotiation which had been set on foot at the secret desire of James, for associating his mother with himself in the government. We cannot comprehend the meaning of Elizabeth's proceedings with regard to Mary, without sometimes throwing an eye upon the affairs of the continent. The friendship of France was absolutely necessary for embroiling the affairs of Spain, by supporting the revolt of the Netherlands. Her lover, the duke of Anjou, had been invited to take the sovereignty of the Low Countries, which he had accepted of; and Elizabeth had actually made him a promise of marriage, which she afterwards retracted. Her intimacy, however, with the French king, during the time of the courtship, was of the last importance to her interest, as he gave her early intelligence of her danger from Mary's friends upon the continent. He informed her that the duke of Guise, whom he hated, and who had more power in France than he had himself, on pretence of raising men for the duke of Anjou, was making preparations for a descent upon England; and he seriously advised her to compromise all matters with Mary, to which Elizabeth seemed to lend a willing ear.

La Motte, who was at the head of the French embassy, having presented his credentials, desired that the ancient league between France and

The ambassadors in-
sulted,

A. D. 1583.

Scotland should be renewed, and that Elizabeth should be comprehended in the same. He expatiated upon the great regard and concern of his master in every thing that related to James, and mentioned the reports which had gone abroad, as if he was under confinement. He was seconded by Davison, who had likewise the character of an ambassador extraordinary; and James was obliged to say that he was at perfect liberty. In the mean while, the clergy took the alarm upon hearing of the intended compromise between James and his mother, which had been proposed by the French ambassador. The churches rung with invectives against the whole of the negotiation; and the persons of the ambassadors were insulted so, that it was with difficulty La Motte could take a decent leave of James, and he returned home without succeeding in any one point of his negotiation.

It is reasonable to believe, that this ambassador's departure gave Elizabeth a secret pleasure. She had for some time past winked at Mary, who was still in the earl of Shrewsbury's custody, having been indulged in enjoying a more free correspondence than formerly with her friends, both in Great-Britain and upon the continent; and the reader, in the notes, * will

* "Whereas I have been certainly advertised that my son is surprized by rebels, (as I myself also was some years since) out of a just fear, lest he should undergo the same common condition of infelicity with myself, I cannot but make my woful complaints, and imprint the same (if it may be) in your conscience, that so my innocence may appear to posterity, and their ignominy,

will find one of the most moving as well as important letters to be met with in history, which

miny, by whose unjust dealings I am most undeservedly brought into these miseries. But seeing their cunning practices and devices (though never so wicked) have hitherto been of more credit with you than my most just complaints, and your might may seem to overcome right, and force to oppress and bear down truth among men; I will appeal to the ever living God, in whom only I acknowledge a power and dominion over us, that are princes of equal jurisdiction, degree, and authority. And upon him will I call, (with whom there will be no place for craft or fraud) that in the last day he will reward us according to our deserts one towards another, howsoever my adversaries know, in the mean time, how to cloak their treacherous dealings before men (and haply before you). In his name, therefore, and as it were before his tribunal seat, I call to your remembrance by what cunning artifices some, who were employed in your name, drew the Scots, my subjects, into rebellion against me, whilst I lived in Scotland, and gave rise to all those mischiefs which have happened there ever since. Which (to omit other proofs) is certainly known, by evident testimonies to be produced, and by confession out of Morton's own mouth, who, on that account, advanced to honour. Against whom, if I had proceeded according to law and justice, and you had not aided my rebels, they could not have stood out long against me and my friends.

“ Whilst I was kept in prison at Lochleven, Sir Nicholas Throgmorton was a means to persuade me, in your name, to set my hand to a writing, and resign the kingdom; which writing he affirmed would be invalid; and so the whole world has taken it to be, till you assisted the authors of the said instrument readily with your favour and countenance, as also with an armed power. And tell me, bona fide, would you acknowledge such an authority and power of your subjects over you? Yet thereby was my regal authority taken from me, and that by your advice and assistance; and my kingdom translated to my son, who was then, in respect of his age, incapable thereof. And when I myself was not long since determined to confirm the kingdom to him lawfully, he was forcibly seized on by certain traitors, who, without question, purposed to deprive him (as they had done me) of the kingdom, if not of his life also.

“ After I had made an escape out of Lochleven, and was now ready to give the rebels battle, I craved your aid, sending back that diamond which I had formerly received from you in pledge

A.D. 1581. she wrote at this time to Elizabeth. Perhaps no woman but Elizabeth herself could have

of your love, with large promises of assistance against my rebels, time after time renewed; giving me also then your faithful word, that if I would betake myself to you, you would come to the borders, and assist me in your own person. I relying upon this your promise so often repeated, (though those you employed had many times deceived me with fair words) resolved to fly to you in my adversity, as to a sacred anchor. And certainly so I had, had I found as easy access to you, as my rebels against me have always had. But before I could come to you, I was seized upon, clapt into custody, shut up in strong holds, and have ever since endured afflictions more bitter than death itself.

"I know you will hit me in the teeth with what passed betwixt me and the duke of Norfolk; yet I deny that that was any way prejudicial to you or your kingdom. For it was approved of by the chief counsellors of the realm of England, and confirmed by their subscriptions, which may be produced, who also gave an assured promise of your consent. And how (I pray you) could men of that quality promise your consent to that which would deprive you of life, honour, and your diadem? Yet would you have all these things believed by all men.

"But when some of my said rebels repented, when it was too late, and perceived more palpably, by the conference between our commissioners at York, how injuriously I was dealt withal, they were presently besieged by your forces in the castle of Edinburgh; and two of the chief of them were miserably bereaved of their lives; one by poison, the other by the gallows. And this, after I had, at your request, caused them, more than once, to lay down their arms, in hopes of peace, which God knows whether my adversaries ever intended.

"From that time forward, I determined with myself to try whether I could, by my patience, mitigate others rigour, by bearing quietly all things which should be inflicted on a captive queen: yet have I now, for this whole year, been quite debarred from all intercourse with my son, either by letters or messengers; that so if it were possible, the son might be rent and divided from his mother by a sad and woful alienation of affections.

"Conditions of peace and concord to be made betwixt us I have often propounded. At Chatfworth, eleven years since, with your commissioners, and with yourself by the ambassadors of the most christian king and my own; and the last winter with
Beal,

resisted the affecting eloquence which Mary employed in that composition. Her reasoning

Beal, have I dealt therein sincerely. But those conditions have been always rejected, delays sought and interposed, my actions and endeavours misconstrued, and the sincere affections of my mind still condemned. And of my long patience, I have reaped no other fruit, than that by a certain prescription it grew to a custom; that I was every day more roughly handled than other. These things, verily, I am no longer able to endure: and howsoever it fall out, if I die, I will make known the authors of my death; and if I live, I shall, I hope, cause all wicked contrivances and calumnies against me to cease, that I may pass the rest of my life in greater quiet and tranquillity.

"Wherefore, to take away all misunderstandings betwixt us, let the testimonies of the Spaniards, that were lately taken prisoners in Ireland, be produced against me; let the examination of the jesuits be brought forth; let every man have liberty to accuse me publicly; so as I, in like manner, may have liberty allowed me to defend myself, and not be condemned unheard. The basest malefactors and prisoners are allowed their defence; and their accusers brought before them face to face. And why am not I so dealt withal, who am an anointed queen, in blood most nearly allied to you, and next to you the lawful heir to the crown? And this last is what above all vexes and troubles my adversaries, who labour to set us two at variance. Alas! there is no reason this should trouble them. I call God and my honour to witness, that I have for this long time thought of no other kingdom, but that of heaven. Yet are you bound in conscience, and obliged both in regard of your duty and justice, not to prejudice my son's undoubted title after my death, nor to further the secret contrivances of those, who, both in England and Scotland, labour, tooth and nail, the destruction of me and my son; and is more than too apparent by the carriage of your messengers in Scotland, who have behaved themselves seditiously enough (unknown to you, no doubt, though Huntington has busily bestirred himself therein).

"Is this reason, that I, who am a mother, should be prohibited not only to advise my oppressed son, but so much as to understand in what condition he is? Had those messengers been sent for my son's good, happy, if they had taken my advice along with them, they might have been more welcome to him for my sake; certainly you had obliged me the more closely to you. Neither was there any reason why you should so carefully conceal their sending, or quite taken from me, at that time, all use of my liberty. But, to speak freely, I beseech you to employ
no

A.D. 1523. was so strong, and the facts she brought were so stubborn, that even Elizabeth herself seemed

no more such ministers in Scottish matters. For though Cary (I think) would undertake nothing unbeseeming himself and his honour, yet can I promise myself no good of Huntington, by reason of his bad behaviour towards me.

“ Therefore I do earnestly intreat you, by the near kindred that is betwixt us, to have a serious care in my son’s safety, to intermeddle no more in Scottish matters, without acquainting me or the French king; and to esteem those for no better than traitors who detain my son in custody, and constrain him, against his will, to do what they list. In brief, I beseech you by the cross and passion of Christ our redeemer, that I may now, after so many years restraint, be restored to my liberty upon reasonable conditions; and may, for the small remainder of my life, refresh my decayed body somewhere out of England, after so long grief and languishing in prison. So shall you oblige me and mine, and especially my son to you for ever. And this I will never cease to beg of you, with all earnestness, till you grant it me: and that which moves me so earnestly to crave it, is the afflicted state of my body and health. Take order, therefore, that I may hereafter be more courteously used; otherwise, in plain terms, I shall not be able to endure it; and put me not off to any other doom, or sentence than your own. Whatsoever hereafter shall befall me, good or ill, I shall take it to come from yourself alone. Vouchsafe me this favour, that I may understand your mind from yourself, either by a short letter, or by the French ambassador. I cannot rest satisfied with those things which the earl of Shrewsbury tells me, considering that they are altered every day. When I wrote of late to your council, you wished me to acquaint yourself only with my business (but there was no reason for you to grant them so large an authority over me, to trouble and afflict me). Yet I cannot but fear that some of them, who are my adversaries, have procured this, lest the rest, when they should have heard my just complaints, should oppose them, in regard as well of your honour, as of their own duty towards you. It now remains that I make this special request to you, that my mind being taken up with the thoughts of another life, I may have some reverend catholic priest allowed me, who may direct me in my religion, for my soul’s health. This last office is not to be denied to the poorest wretches of the meanest condition. To foreign princes, ambassadors, you allow the exercise of their religion, and I freely granted it to my subjects of a different religion. If this be denied me, (I hope) I shall be excused before God; but my adversaries (I fear) will not escape

to be touched ; and the sent Beal, the clerk of her council, to commune with Mary on the sub-

escape unpunished. Certainly it will be a precedent for other princes of Christendom to use the like severity towards their subjects of a different religion, if this rigor be shewed to me, who am an absolute princess, and your nearest kinswoman. For so I am, and so I shall be as long as I live, whether my adversaries will or no, and though they be never so ill-pleased and dissatisfied at it. To have my household increased, I desire not ; but I am necessitated to desire you that I may have two waiting-women allowed me, whom I shall have need of in this my weak condition ; and let not my enemies satisfy their malice and cruelty in hindering me of so small a courtesy. Whereas I am privately accused by the earl of Shrewsbury, that, contrary to what I promised to Beal, I have dealt with my son about conveying my title into Scotland to him without your privity ; I beseech you believe not Beal's suggestions ; I promised nothing but on certain conditions, to which I am not at all tied, unless those on your part be performed by you. Since that time I have received no answer, and a deep silence has ensued touching those matters ; but the practices and contrivances in Scotland, to the destruction of me and my son, have been continued. This so long a silence I could not construe any thing else but a flat denial, which I signified to you and your council by letters. What the French king and his mother imparted to me, I have truly and ingenuously acquainted you withal, and asked your counsel in it ; but I have not heard so much as a word from you. To submit myself to your advice, touching my affairs and my country, before I knew what manner of advice it would be, I never intended ; for this might seem a piece of extreme folly. How my adversaries in Scotland triumph over me and my captive son, is not unknown to you. For my part, I have attempted nothing there which may prejudice you : what I have done has been for procuring a solid peace in that kingdom ; whereof, sure, I should have as great a care as your council ; for I am far more interested therein than they. I desired, with all my heart, to gratify my son by confirming to him the title of king, and to bury all discords in oblivion. Is this to snatch away the diadem from my son ? But my adversaries, and the adversaries of my family, would not have it confirmed to him. This they envy him, whilst they carry a witness against themselves in their own breast, and by reason of their guilty conscience mistrust their own condition.

“ Let

A.D. 1583. ject of her complaints. She could not have pitched on a more improper man for such an office, for he was four, waspish, and unfeeling. He delivered to Mary, however, what he had in charge, and found her so compliable to all Elizabeth's desires, that upon his report, it was debated in council, whether Mary should not be immediately set at liberty. That was thought improper, except upon the following terms :
 " If she and her son would promise to attempt nothing which might be prejudicial to queen Elizabeth, or the realm of England. If she would acknowledge, that whatever was done by her husband Francis II. king of France, against queen Elizabeth, was done against her

" Let not these and others my adversaries so far blind your eyes, as that, while you live and see it, they bring your nearest kindred to their graves, and undermine both crowns ; for the that purpose certainly do they carry on their wicked practices against me, against my son, and perhaps against yourself too. Can it be any advantage or credit to you, that by their means, I and my son, and you and yourselves, are so long deprived of one another ? Recall yourself to your innate mildness and lenity. Resume your natural disposition ; and as you are a princess, soften your spirit, and dispose it to lay aside all displeasure towards me, a princess so nearly related to you in blood, and so loving to you ; that these matters being compounded betwixt us, I may the more quietly depart this life, and the groans and sighs of my afflicted soul may not ascend up to God. To whose majesty I offer up my daily prayers, beseeching him, that these my just complaints and woful lamentations may now at length find regard with you. At Sheffield, Nov. 8. 1582.

" Your most disconsolate,

" Nearest kinswoman,

" And affectionate Sister,
 Mary, queen."

Cambden, p. 489, 490.

will

will, and would utterly disclaim the same as unjust, confirm the treaty of Edinburgh, and condemn all unfair attempts ever since, by ingenuously renouncing them. If she would be bound to contrive or act nothing, directly or indirectly, against the government of the kingdom of England, in either ecclesiastical or civil matters, but oppose all such as should any ways attempt the same, as public enemies. If she would forbear to claim any right to the kingdom of England, during queen Elizabeth's life, and afterwards be content to refer the title of succession to the judgment of the parliament of England. If (to the end there might be no place left for prevarication, and that she might not hereafter alledge, that she condescended to the conditions being a prisoner and constrained thereto) she would not only swear to these conditions herself, but would also procure the estates of Scotland to confirm them by public authority, and the king to ratify them by oath and a writing, and hostages to be given for the performance of them.¹⁰

The reader may perceive, from the above conditions, that the associating Mary with her son in the government, was to be referred to the king and parliament of Scotland; but Beal most tyrannically exacted of Mary a verbal promise, that she would not even treat with her son concerning that association without Elizabeth's privity. When Mary was upbraided af-

Opposed by
her ene-
mies.

A.D. 1583. terwards with this promise, she affirmed that it was only conditional, and that it was void, because the terms upon which she had made it, had not been fulfilled. The associated lords in Scotland, seeing the treaty between Mary and Elizabeth so far advanced, gave themselves up for lost, if they did not prevent its consequences; and nothing was so proper for that purpose as an embassy to Elizabeth. James grew every day more and more impatient of restraint, but his natural timidity led him to approve of the grossest affronts offered to his authority by his keepers, and he had even written letters to Elizabeth approving of all they had done, and declaring that he was at perfect liberty. They could not, however, prevent the earls of Argyle and Montrose, and other noblemen, who disliked the association, from having frequent access to James, who opened his mind to them, and informed them that he was resolved to risk every thing to recover his freedom.

Embassadors sent to England for that purpose.

Colonel Stuart, who commanded the king's guard, and was a favourite with James, and Mr. John Colvil, a man of very opposite principles, were named by James as his ambassadors to the English court. They were instructed to demand from Elizabeth the restitution of the Lennox estate, and all the arrears due upon it, from the court of wards, and to offer to consult her concerning their king's marriage; but Colvil

A. D. 1583.

vil was secretly instructed to acquaint Elizabeth that the Scotch nobility never could be brought to agree to the association of Mary with her son in the government. This piece of intelligence was highly agreeable to Elizabeth; and the open variance that subsisted between the two ambassadors, served her as a pretext for giving no definitive answer to their commission; so that the treaty for Mary's liberty was now entirely at a stand. Mary complained of this as well as of Elizabeth's breach of promise, and entered into a secret negotiation with James himself concerning the association; which coming to Elizabeth's knowledge, she most unjustly upbraided Mary for duplicity.

Upon the return of the two ambassadors, the one made a report different from that of the other, which rendered James more than ever anxious to effect his own deliverance. About this time certain intelligence arrived at his court of the duke of Lenox's death, and of his dying in the protestant religion, having refused to suffer a Roman catholic clergyman to attend him in his last moments. James took care that this news should be fully published; and it seems to have made a considerable impression, particularly upon the earl of Gowry, who was one of the duke's greatest enemies. His death freed the lords from their apprehensions of his suddenly returning; so that James was less carefully guarded than before, especially as they

James delivers himself from the associates.

A.D. 1583. knew that the earl of Arran was extremely disagreeable to all parties. In May, James having settled the plan of his deliverance, ordered a convention to be held at St. Andrew's, and the earls of Argyle, Huntley, Montrose, Crawford, Rothes, and March, to be summoned to it by particular letters. Few or none of the associated lords were then at court; and James left Edinburgh with an intention to make a progress through Fifeshire and some of the neighbouring counties, before the convention met. When he arrived at Falkland, he imparted his scheme of an escape to colonel Stuart; and, on pretence of paying a visit to the earl of March, who resided at St. Andrew's, he slipped into the castle, and immediately ordered the gates to be shut. Next morning the earls of Argyle, Marshal, Montrose, and Rothes, waited upon him at his levee, and were graciously received. The colonel interceded strongly for the earl of Gowry, and he too was admitted with some difficulty, after professing his sorrow for what had passed, and asking on his knees his majesty's pardon, for the part he had acted in his detention at Ruthven. The king continued for some time in the castle, where the convention sat; but none of the associated lords, except Gowry, were present. A proclamation was issued, indemnifying colonel Stuart for the service he had done the king in his deliverance, and new privy-counsellors, who were to attend James,

were

were named. These were the earls of Argyle, March, Marishal, Montrose, Rothes, Gowry, together with the officers of state, the secretary, comptroller, clerk-register, justice-clerk, privy-seal, and advocate; and no others to repair unto his majesty till they were sent for by his highness, or had special errands of their own. Another proclamation was issued, fixing the numbers of attendants upon those who repaired to court; viz. fifteen with an earl, as many with a bishop, ten with a lord, the same number with an abbot or prior, and six with a baron. If we are to believe the author of Melvil's Memoirs, the associated lords were upon the point of making James once more a prisoner, had not the earl of March, the gentlemen of Fifeshire, and the provost of St. Andrew's, interposed, and put James in full possession of the castle. James having adjourned the convention to Perth, was at great pains to reconcile all the nobility who were about his person; and where that could not be effected, he ordered them to withdraw to their respective habitations. The earl of Arran earnestly desired leave to wait upon James, but at first the favour was denied him; till the lords considering that he might be of use against the opposite party, he was permitted to come to court, and to have a considerable share in the management of affairs.

A. D. 1585.
Regulations
at the court
of Scotland.

A.D. 1583.

Severe proceedings
against the
associated
lords.

Few young princes, surrounded by nobles of different factions, would have behaved with the wisdom and moderation which James, notwithstanding his high provocations, discovered on this occasion. He published a declaration, expressing his sensibility of the force that had been put upon his person at Ruthven, and the treasonable proceedings of the lords during his confinement; but at the same time indemnifying and pardoning all that had passed; provided the delinquents asked forgiveness in proper time, and desisted from farther treasonable attempts. But this mild measure had little effect. The best friends of the king stomached the restoration of Arran, and the ascendancy he had recovered in his master's councils. James, of himself, was but too apt to abandon himself to the guidance of his favourites, especially when, like Arran, they undertook to ease him of the fatigue of attending the council-board, and promised to report to him all the proceedings there, after his return from his diversion. The first use Arran made of his credit, was to clog the indemnity, which had been already proclaimed by new conditions, obliging the parties to take out special pardons, and by other compliances which in fact defeated all the ends of the king's moderation. James, when informed by his friends of those proceedings, shewed dispositions to check them; but they were overruled by Arran, whose imperious, and, at the same

same time, insinuating manner he could not controul. The noblemen and their friends, on the other hand, thought themselves safe under the proclamations that had been published, and refused to comply with Arran's arbitrary demands. Upon this the earl of Angus was confined beyond Spey; John Levingston of Dunypace, and Patrick Drummond of Carnock, in the county of Galloway; Lochleven and Buchan in Inverness; the master of Glamis, the abbot of Dumfermling, and lord of Cleish, were charged to enter themselves into the castle of Dumbritton; William, commendator of Paisley, in Blackness; and Mr. John Colvil commanded to keep ward in Edinburgh.

A. D. 1583.

Spotswood:

From those, and many other severities inflicted upon other persons at court, it appeared that Arran and his wife intended to introduce a new set of domestics to James, who should be totally at their devotion. A convention was summoned to meet at St. Andrew's upon the fifteenth of August; and that which had assembled at Perth rendered it a capital felony for any one to report that the duke of Lenox did not die a good and a sincere protestant of the church of Scotland. Another proclamation recapitulated all the circumstances of the king's detention and imprisonment at Ruthven; and a third strictly charged all and sundry his highness's subjects, betwixt sixty and sixteen years, within the sheriffdom of Fife, to meet his majesty

Tyranny of Arran.

A.D. 1583. jesty in Falkland upon the twenty-fourth day of August, well armed, with fifteen days provisions; and to remain with his highness a certain space, under the pain of death, lands, and goods. Those proclamations, equally ridiculous as they were cruel, evinced the ferocity which the public distractions had stamped upon the minds of different parties, who in their turns, when they got hold of power, were as arbitrary and inhuman as their predecessors in office. The reason of the last proclamation was because all the proscribed noblemen and gentlemen, excepting the earl of Angus, had disregarded the orders which had been published for their surrendering themselves, and had therefore been declared rebels. The highest strain, however, of Arran's authority, seems to have been an oath which he imposed upon all the king's domestics, not only that they would abstain from all correspondence with the rebels, but with all who were known to be in his majesty's mal (bad) grace.

Spotfwood.

Elizabeth
sends a
splendid
embassy to
James

Elizabeth, who was never at a loss for pretexts either to break off or suspend any treaty, especially with Mary, laid to her charge certain popish practices which were then discovered. Her faithful spy, the earl of Shrewsbury, Mary's keeper, did not fail to acquaint her with all the particulars of the late revolutions in the Scotch court, and of the strict correspondence which Mary kept up with the pope

pope and the king of Spain. Elizabeth, upon this, wrote James a letter *, which the reader will find in the notes, in as severe authorita-

“ Among your many studies, my dear brother and cousin, I wish Socrates's noble lesson were not forgotten, that wills the emperor, his sovereign, to make his words of more account than other men do their oaths, as meetest ensigns to shew the truest badge of a prince's arms. It moveth me much to moan you, when I behold how diversly sundry wicked spirits abstract your mind, and bend your course to crooked paths and evil illusions, wrapt under the cloak of your best good. How can it be that you can suppose an honourable and satisfactory answer can be made unto me, when all your actings gainsay your former vows? You deal with one whose experience will not take dross for good payment, and with one who will not be easily beguiled. No, no! I mind to send to school your craftiest counsellors. I am sorry to find you bent to wrong yourself, in thinking to injure others. Yea, those, who if they had taken the opportunity in their hands, they might have done you more prejudice than a thousand such mens lives be worth, who persuade you to avow such deeds, as to oblige the best deserving of your subjects to demand a faultless pardon. Why do you forget what you wrote to myself with your own hand, shewing how dangerous a course the duke was entered, though you seemed to excuse him, as if he had intended no evil therein; and yet you would not make them guilty who delivered you therefrom. I hope you more esteem your honour than to give it such a stain, since you have so often protested, that you was resolved to notice these lords as your most affectionate subjects, in the full persuasion, that all they had done was by them intended for your advantage. To conclude, I beseech you proceed no further in this course, till you receive an express messenger, a trusty servant of mine, by whom I intend to deal as an affectionate sister with you, as one from whom you may see you shall receive honour and contentment, with more surety to yourself and state, than by following the pernicious counsels of these crafty dissembling counsellors, as knows the Lord, to whose safe keeping I do commit you.

“ Your most assured,

“ And faithfulest sister,

“ And cousin,

“ Elizabeth.”

See Melvil's Memoirs, p. 140.

A. D. 1583.

tive terms, as a schoolmistress could write to an offending pupil. James was not insensible of the indignity offered him; and ordered Sir James Melvil to answer it, which he did in very becoming terms, but in a like strain of peadantry. In this answer, he very properly takes notice, that the intimation he had whispered to her cousin Cary, at his audience, ought to have convinced her, that the seeming satisfaction he had expressed at the conduct of the associated lords had been extorted from him by fear. Elizabeth was not insensible that the court of France, and Mary herself, would do any thing to prevent James from again falling under English influence; and she thought the juncture so critical, that she resolved to employ the ablest minister she had, the celebrated Sir Francis Walsingham, as her ambassador extraordinary to James.

by Sir
Francis
Walsingham.

That statesman was then so much indisposed, that Bowes, the English resident, had presented to James Elizabeth's letter. Walsingham, upon his recovery, set out for Scotland, and arrived at Falkland, the king's favourite place of residence, the first of September, with no fewer than a hundred and twenty horse in his train. What could induce so frugal a princess as Elizabeth to send James so pompous an embassy, is still a secret. Some have, with an appearance of reason, conjectured that he was commissioned to propose a pension to James, and that he

he should be immediately declared heir to the crown of England after Elizabeth, provided he would put himself entirely under her governance; but that finding James wholly engrossed by the earl of Arran, he did not think proper to open his instructions. Perhaps Arran's power might have been some check upon Walsingham; but it is not likely that such a minister as he was would have been deterred from executing the commands of a mistress, who had wrote such a letter as we have seen. It is therefore most probable that, besides the main business he was charged with, whatever it was, Walsingham was pitched upon by Elizabeth, on account of his penetration, that he might discover that prince's real character, and the extent of his abilities.

Particulars
of his au-
dience.

James never appeared in a more advantageous point of light than he did in the audience he gave to Walsingham. That minister, upon his arrival, found all the English party in Scotland either in prison, proscribed, or driven into exile, notwithstanding all the acts that had passed, both in church and state, for their indemnification. Walsingham, in the first part of his audience, talked pretty much in the strain of Elizabeth's letter, as if the king had been guilty of a breach of promise in readmitting Arran to his councils, and driving his best friends, the lords of the English faction, from his court. James answered with great

A. D. 1583. dignity that he was a sovereign prince, and as little accountable to Elizabeth for his actions, as she was to him for her conduct. As to his promise, he said it had been extorted from him, and therefore did not bind him; that he had freely offered to pardon his offending subjects upon the acknowledgment of their offence, and promise of amendment, which he would faithfully observe: expecting of the queen his sister that neighbourhood which became princes living in amity and friendship; and that she would not countenance his subjects in their rebellion. Walsingham replied in this remarkable manner: "Sir, the queen, my mistress, would never meddle with your affairs but to work your good and quietness." He then complained that one Holt, an English jesuit, who had been concerned in treasonable practices against Elizabeth, had been suffered, at the requisition of the French ambassador, to escape out of Scotland, contrary to promise. James denied that he had made any such promise; but insisted upon his having as much right to refuse to deliver up Holt, as Elizabeth had to protect Archibald Douglas, who was known to be a principal actor in his father's murder. Walsingham, who probably did not expect so spirited an answer, declared he was satisfied; and then the conference was turned to some vague proposals for preserving the peace, and concluding a new treaty of friendship

friendship between the two kingdoms; and thus the audience ended. The writer of Melvil's Memoirs mentions other private audiences which James gave to Walsingham; but they seem to have been of no consequence, because that prince often expressed his surprize that so able, so aged, and so infirm a statesman should be employed in a commission of so little importance.

Walsingham, upon taking leave of James, expressed the highest opinion of his parts, learning, and sagacity; and continued in those sentiments to the time of his death. Mary's fatal catastrophe was now drawing near. She every day perceived fresh obstacles to her deliverance out of prison; and entered into new schemes against Elizabeth, in which she thought herself warranted by the cruel treatment she had received. It is upon this alone that the conduct of Mary is defensible; and intermediate times have not condemned it.

He returns
to England.

During her late treaty with Elizabeth, one Morgan, a Welchman, who had a most amazing genius for intrigue, though he himself was a prisoner in the Bastile at Paris, gave Mary intelligence of not only what was passing on the continent of Europe, but in Scotland, and even in Elizabeth's own court. It was at Morgan's recommendation that Mary employed one Francis Throgmorton, a young man of a good family, and pregnant parts, to transact her

Conspiracies against
Elizabeth.

A.D. 58. her affairs with Mendoza, the Spanish ambassador, concerning the intended invasion of England, which was to be headed by the duke of Guise, and supported by the pope and the king of Spain. Throgmorton was totally against any descent being made upon England, because he thought, considering the discouragements and persecutions of the Roman catholic party there, it would be impracticable to raise a sufficient number of Mary's friends to join the invaders; but he imagined that the landing could be effected with great advantage in Scotland. While this dispute lasted, Throgmorton had drawn up lists of all the harbours in England, and of all the gentlemen whom he thought best affected to Mary's cause and religion. Before any thing was determined, Throgmorton's brother, and Charles Paget, one of the most faithful of Mary's friends, arrived from France in disguise, to view the proper places for a landing in England. It may appear incredible to the reader, that Elizabeth and her ministers were early apprized of every step taken by the conspirators; but they suffered Throgmorton and his associates to proceed quietly in their schemes. This happened about the time that Beal was treating with Mary. The earl of Shrewsbury and he, by Elizabeth's orders, acquainted Mary that she was no stranger to the practices of her party; but that she was willing to give her friendship,

OF SCOTLAND.

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ship, provided she would confess all she knew concerning the duke of Guise's expedition. A.D. 1583.

Mary, from the particulars that had been disclosed, easily saw that Elizabeth was acquainted with the intrigues of Throgmorton and his associates; but she nobly refused to reveal any particulars, though she acknowledged that she had taken that concern in the intended invasion which her wrongs had dictated; and boldly justified all she had done, insisting, that she should be restored to liberty, in which case it was possible she might be of service to Elizabeth. Here we apparently have a key to Walsingham's mysterious conduct in Scotland; for it is very certain Elizabeth knew that James was well acquainted with, and favoured, the intended invasion. Francis Throgmorton was at this time negotiating at the German Spa with Sir Francis Englefield, an exile, and one of the heads of the English Roman catholics. Elizabeth knew of this consultation likewise; and some wrong-headed Roman catholics, heated into frenzy by the enthusiastic discourses of their priests, having attempted to murder either her or Leicester, she threw the blame of the whole upon Mary and Mendoza, the Spanish ambassador, whom she ordered to depart out of England. Throgmorton was now returned to London, and seized at his own house with all his papers, excepting a small coffer, which he dextrously conveyed to Mendoza, before

A. D. 1535: before the time fixed for his departure elapsed. Among Throgmorton's papers that were seized, was that containing the names of the harbours fit for landing foreign troops, and a list of the Roman catholic gentlemen in England. This was thought sufficient evidence for putting him on the rack, which he twice suffered; and the excruciating pain overcoming his constancy, he confessed whatever his tormentors pleased. Being taken from the rack, he lay for some months in prison, secure, as he thought, from being tried for his life, because it had been provided, by a statute in the thirteenth of the queen's reign, that for the several crimes there reckoned up as high treason, no person shall be called in question, "unless he be thereof indicted within six months next after the same offence committed; and shall not be arraigned for the same, unless the offence be proved by the testimony and oath of two sufficient witnesses, or his voluntary confession without violence."

tried, con-
demned,

Notwithstanding this clause, Throgmorton was called to his trial upon the statute of the twenty-fifth of Edward the third; upon which he retracted his confession, as having been extorted from him by torture. This plea did not avail him; for he was tried, and found guilty by a jury. Elizabeth's ministers, to palliate so iniquitous a proceeding, which began to make a great noise, published a narrative of what they

they called his treasons; but it was far from giving satisfaction to the public, because it was plain that no evidence appeared against him upon his trial, but his own confessions upon the rack. The fine qualities he discovered, his youth, and the hardship of his case, moved even some of the commissioners, before whom he was tried, to advise him to submit himself entirely to Elizabeth's clemency. He accordingly wrote her a most moving letter, and confirmed the confessions which had been extorted from him. This had a very different effect from what he expected; for the ministry printed the letter and confession as a vindication of their own conduct, and Elizabeth ordered him to be executed; but we are told he retracted at Tyburn all he had confessed.

A. D. 1583.

and executed.

In January 1584, Mendoza, who was still in England, was examined before Elizabeth's council concerning the share he had in Throgmorton's treasons. Mendoza treated the charge with the utmost contempt and disdain; and boldly recriminated upon Elizabeth all the provocations she had given his master by supporting his rebels in the Netherlands; by detaining the treasures taken by Sir Francis Drake in times of peace; by ordering Walsingham to bribe the earl of Westmoreland's brother to assassinate don John of Austria, and many other facts. Mendoza's behaviour exasperated Elizabeth; but she did not think pro-

1584.

A. D. 1584. per to resent it, and he withdrew to France. Her lenity was owing to her not being prepared for a war with Spain; for Wade, one of her ministers, was sent to Philip with an apology for her behaviour to Mendoza; but Philip refused to see him, and he returned to England.

A new
treaty with
Mary.

The unhappy Mary was now grown not only impatient, but infirm under her confinement; and thought that this was a favourable juncture for once more attempting her deliverance. Elizabeth, still unwilling to break with Spain, employed Wade to treat with her; and his report gave Elizabeth great satisfaction. Mary promised to break off all her connections with Spain; to rely entirely upon Elizabeth's friendship; to prevail with her son to recal the lords of the English party in Scotland to his court; and to order the bishop of Ross, and her other agents abroad, to discontinue all their practices against Elizabeth's person and government; and that Elizabeth should have the honour of publishing her association with her son in the throne. It is impossible to pronounce with any certainty upon a matter so questionable as Elizabeth's sincerity, particularly with regard to Mary; but when the latter was asked by Wade about the particulars of the duke of Guise's expedition, she refused to make any discoveries till she was at liberty. We cannot acquit Mary from dissimulation on her part, though

though it certainly was more defensible than that of Elizabeth, because there is no evidence of her insincerity while she had any hopes that the assurances which had been given her would be performed. A. D. 1584.

Elizabeth herself seems to have been sensible of this by the frequent renewals of her treaties with Mary; but she now made discoveries which gave her great disquiet. One Creighton, a Scotch jesuit, was employed by Mary as her agent to solicit the sum of twelve thousand ducats, which had been promised her, and in which he succeeded; for the money was paid to a jesuit belonging to the duke of Guise. During the course of his solicitation at Rome, he drew up a plausible scheme for invading England, and raising a civil war there. The ship which carried him in his return from Rome, happening to fall in with a Dutch privateer, he tore his papers, and threw them overboard; but the wind carrying them back to the ship, they were pieced together and brought to Walsingham, and from them he easily discovered Creighton's business. Being brought up a prisoner to London, he was strictly examined, but he made no discovery; and Elizabeth had her reasons for discharging him after three months imprisonment. A fresh invasion projected.

Elizabeth secretly blamed the earl of Shrewsbury's indulgence in suffering Mary to keep up such numerous and dangerous correspondences. Mary's letter to Sir Francis Knolefield.

A.D. 1534. ces. She resolved to commit the custody of Mary to some other person ; and in the mean while to dissemble her dissatisfaction with the earl of Shrewsbury. She took such measures however, in the mean while, that a letter from Mary to Sir Francis Englefield was intercepted ; and I shall here give it to the reader, as it exhibits a more lively picture of Mary's spirit and character than any other production of her pen.

Strype.

“ Of the treaty between the queen of England and me, I may neither hope, nor look for good issue. Whatsoever shall become of me, by whatsoever change of my state and condition, let the execution of the great plot go forward, without any respect of peril or danger to me. For I will account my life very happily bestowed, if I may, with the same, help and relieve so great a number of the oppressed children of the church. And this I give you as my last and final resolution ; for I doubt I shall not have the commodity to write it hereafter ; to the end you shall impart the same to whomsoever you think convenient.

“ And further, I pray you, use all possible diligence and endeavour to pursue and promote at the pope's and other kings hands, such a speedy execution of their former designments, that the same may be effectuated some time this next spring ; which is the longest time the same can be expected. And failing then, it cannot
be

be avoided or prevented, but that we shall see forthwith an extreme and general overthrow of our whole cause, never again to be repaired, and set a-foot in our days. A. D. 1584-

“ Of the twelve thousand ducats, long since promised to myself, I have yet received no penny; nor my son but six thousand of ten thousand promised unto him; wherewith he is not a little grieved and discontent: and yet as well inclined to our designment as before, and in the rest of his doings and proceedings, to direct his course as I will advise him. He is now dispatching a gentleman of his, called Grey, to the court of England; chiefly to have occasion to visit me; and by mouth to impart unto me his resolution in all our affairs. The gentleman is a catholic. God grant he may be permitted to come to me. Solicit with all diligence, that the twelve thousand ducats for myself be sent with all speed. Oct. 9. 1584.”

This letter discovered to Elizabeth her danger; and that her heaping severities upon Mary would but encrease it. She therefore entered into a new negotiation about her deliverance, which was managed on her part by her secretary Naue, whose brother, Fontenay, resided with James in Scotland. While this fresh negotiation was on foot, Mary renewed all her promises to Elizabeth, and even gave her additional ones, offering that the king of France and the house of Lorrain should be guarantees

*She falls
into new
misfor-
tunes.*

A. D. 1584. guarantees for their performance; but in the mean while she begged that her confinement might be less severe. The treaty was thought to be as good as concluded, when Parry's treasons were discovered. He was a Welchman of parts and abilities; a bigotted Roman catholic in religion, but volatile, expensive, ambitious, and unprincipled. The particulars of his treasons are foreign to this history, further than as they affected Mary. He was convicted chiefly upon a letter written to him from Rome by cardinal Como, which was interpreted to be a proof of the engagement he had entered into to assassinate Elizabeth. This letter, and the other evidences of his guilt, being made public, it is impossible to express the fury and indignation of the people of England towards the papists. The ministry laid hold of this spirit to the most infamous purposes. Every corner was filled with spies and informers; priests and jesuits were every day talked of; and letters were forged in Mary's name to be delivered to persons, that their inclinations might be discovered; for if they did not immediately lay them before a magistrate, they were held to be guilty. A libel appeared, which some thought was sent to the press by the emissaries of the ministers themselves, exhorting the people to treat Elizabeth as Judith did Holofernes; and one Carter was executed for printing it. The storm of persecution at last

Persecution
of the Eng-
lish papists.

last broke upon the Roman catholics of a higher order. The earl of Northumberland, brother to the rebel earl, was suspected; and the earl of Arundel, eldest son to the late duke of Norfolk, was confined. His uncles, the lord Henry and William Howard, were charged with corresponding with Mary and Charles Paget, while the lord Paget and Charles Arundel were forced to fly to France. Pamphlets and books were written to justify the application of tortures, or starving men to death upon suspicion, and the jails were crowded with prisoners.

When this religious combustion subsided, Elizabeth affected great moderation; and publicly declared that she would suffer no papist to be executed merely on account of his religion. A pamphlet (and a poor performance it is) was written, and published by lord Burleigh, entitled, "The Execution of Justice in England," to prove that the sufferings of the papists were not on account of their religion, but their treasons. Elizabeth, to clear herself at foreign courts, threw the blame of all the cruelties that had been committed, upon the zeal of her people for her safety; ordered that the arbitrary practice of torture should be discontinued; and that seventy priests, who were either under prosecution or sentence of death, should be sent out of England. One of the ends she proposed to herself by this lenity, was to

Elizabeth
affects mo-
deration.

A. D. 1584. to prevail on the court of France to send Morgan, Mary's faithful and indefatigable friend, a prisoner into England. This was strongly solicited by Sir Edward Stafford and the earl of Derby, but to no purpose, though Morgan still remained confined in the Bastile. I am now to shift the scene to Scotland.

**Affairs of
Scotland.**

Upon the return of Walsingham from that country, the earl of Arran, whom Walsingham never could be persuaded to see, declared open war with all the English party. He had interest enough to get the act of council approving of the affair at Ruthven, erased out of the registers, and all the heads of the English party to be banished by a certain day. Among them was the earl of Gowry, who being discovered to hold a correspondence with the earl of Mar and the master of Glamis, who had retired to Ireland, was banished to France; but he found out pretexts for delaying his departure till he was seized by colonel Stuart, after a brave resistance, at Dundee, and brought prisoner to Edinburgh. James and his ministers had before suspected that measures were concerting among the heads of the exiled party for bringing about, by force, a total revolution in the government; but the earl of Gowry's discoveries confirmed their suspicions into certainty. The earl of Mar (who had privately returned from Ireland) and Angus surprized the castle of Stirling; but not being able to hold

hold it, they were forced to fly to England, A. D. 1584.
and its government was given to the earl of Arran.

By the confession of Gowry, who had made it in hopes of pardon, it appeared, that one Erskine was the great agent of the conspiracy with the exiled lords; and it was thought that the earls of Marshal and Bothwell, with the lord Lindsay, and some of the western barons would join it. The conspirators likewise expected assistance from Elizabeth; and that the party would be strengthened by the accession of the Hamiltons through her mediation. The recovery of the castle of Stirling without bloodshed, gave such encouragement to the earl of Arran, that he resolved to proceed capitally against the earl of Gowry, notwithstanding his confession. When it was too late Gowry saw his error; and being carried to Stirling, where James resided, he begged hard for a private audience of his majesty, promising to make discoveries that would prevent his life, and that of his mother, from being endangered. This favour was denied him; and his refusing to make those discoveries was afterwards made an article of his indictment. Upon the fourth of May, he was brought to his trial, together with Douglas, commonly called the constable, and one Forbes; and the jury, which was a very respectable one, found them all guilty of being engaged in the conspiracy; upon which

The earl of Gowry condemned and executed.

A. D. 1534.

the earl was beheaded, and the two others hanged, at Stirling. The earl of Gowry was considered as one of the ablest of the English party; but he seems to have been actuated by personal resentments at Arran; for in his last moments he declared that he meant all he did to be for the service of the public and his sovereign.

James, towards the end of the last year, had sent the master of Gray, a man more wicked, if possible, than the earl of Arran himself, but a more deep dissembler, to France, to bring over to Scotland the son of the late duke of Lenox, who was about thirteen years of age. Having carefully discharged his commission, he grew a sort of a favourite with James; but was, in reality, a spy for Elizabeth and her ministers. His fine address and accomplishments both acquired and natural fitted him completely for this scandalous employment; and I perceive from the state-papers, that he was the intimate companion and correspondent of Sir Philip Sidney. Being held to be a violent papist, and known to have great interest at the court of England, James resolved to employ him for his mother's deliverance. The clergy could not see all those revolutions without thinking their religion and the protestant cause to be in danger. Melvil was so free in his sermons upon this head, that he was summoned to appear before the council;

Murden.
The master
of Gray a
spy for
Elizabeth.

council ; but he refused to be tried by a civil jury for what he said in the pulpit, and fled to Berwick. His flight encreased the discontents of the clergy ; but the parliament, which met on the twenty-second of May, ratified the king's declaration, which condemned the attempt at Ruthven, and passed three acts ; one for the king's power over all the estates and subjects ; another for securing the privileges and authority of parliaments, while the last discharged all the assemblies and conventions unwarranted by the sovereign.

The clergy resented the passing of those statutes so much, that it was found necessary to put Lindsay, one of their body, under arrest, as one who kept intelligence with the English, while the most obnoxious of his brethren, and even some laymen of distinction, took refuge in England. In order to quiet the general clamour raised by those proceedings, as if James had become a convert to popery, he published a declaration, setting forth the undutiful proceedings of the clergy, and their dangerous claims of independency upon the crown. To this declaration was annexed a plan of future church-government, which seems to have been a masterly composition. It tended to restore the authority of the episcopal order in the nation and parliament, and to counterbalance the aristocratical powers of the nobles, which threatened to everset the mo-

The clergy
forced to
submit to
James.

A. D. 1584. narchy. The conformity to episcopacy was required by the council ; and all the clergy who refused to subscribe to the articles, which re-established it, had their stipends (for they could not properly be said to have had livings) sequestered. James finding the public discontents encrease, gratified the natural itch he had, and which never forsook him, of shining in theological disputations ; and as we have no reason to think his opponents, now that the chief of them were fled, were much better skilled than himself in those matters, it is not surprizing that they suffered themselves to be convinced by his arguments, and signed the articles by which they submitted to bishops, as far as they agreed with the word of God.

Episcopacy
restored in
Scotland,
and tyranny
of Arran,

The restoration of the episcopal authority was the more easily effected, as the heads of the protestant nobility in Scotland were now under a cruel proscription through Arran's violence. Add to this, that many of the lords who composed the council were secretly papists ; and the officers of state were temporal lords only while they held their posts, and were therefore the firm friends of the prerogative. Arran seems to have been sensible of this circumstance, and he lost no time in improving it. The states resumed their session on the twentieth of August ; and forfeited the earls of Mar and Angus, the master of Glamis, and the countesses of Mar and Gowry, for

for being concerned in the late surprize of Stirling. They likewise censured the History of Scotland by Buchanan, who was lately dead ; but we know not upon what grounds, whether for the resisting principles and facts it favours, in which he did no more than follow Boece, or for the unjust calumnies he published against the king's mother. This proceeding is sufficient to shew the governing maxims of the Scotch court at this time ; and had James been served by an able minister, he might have made great advantages of his situation ; but Arran was a stranger to moderation ; for he either prosecuted or put to death all who were proved to hold correspondence with the exiled lords or clergy. He even employed the most infamous means for convicting those whom he either feared or suspected ; among others were the barons of Mains and Drumquhaifel, who were accused of a plot to carry off the king, and to detain him till he should recall the exiled lords. As Mains was renowned for his honour, courage, and integrity, and Drumquhaifel, as we have already seen, had given many specimens of his abilities both in the cabinet and the field, the manner in which they were prosecuted on the evidence of a pretended accomplice, and their fates, excited great indignation in the public ; for they were hanged the very day on which they were condemned. Mains made an admirable

A.D. 1584. rable defence, and cleared himself of all suspicion; but the jury knew too well how dangerous it would be for them to acquit him.

who is made
lord-chancellor.

Arran, upon the death of Argyle, which happened about this time, was made chancellor of Scotland; and not contented with being in possession of the castles of Edinburgh and Stirling, he procured himself to be chosen provost of the capital; and James declared him his lieutenant all over the kingdom. One of the first promotions he made after being appointed chancellor, was to raise Sir John Maitland, brother, though some say son, to the famous Maitland, to the post of secretary of state. This gentleman was a sincere friend both to Mary and her son, for which he had suffered; for his place of lord privy-seal was given to Buchanan the historian, and he was afterwards imprisoned in the castle of Tantallon; but he came into favour with James after the death of Morton. He afterwards proved a faithful useful minister to his master in the highest stations; and was the only favourite perhaps that ever James had, who was, at once, an honest man, and a zealous servant of the crown. Being a person of great penetration, and inviolably attached to James, he soon became sensible of Arran's pernicious influence; and joined with Sir Lewis Ballenden, justice-clerk, and a man of spirit, in endeavouring to open their sovereign's eyes. The
master

master of Gray, with very different views, A. D. 1584.
 was of the same party; but sought the ruin
 of Arran by flattering his pride and vanity.
 He put him in mind that, as he was in full pos- 1585.
 session of power in Scotland, nothing was
 wanting to render it permanent but the friend-
 ship of Elizabeth, which might be easily ob-
 tained by cultivating an acquaintance with her
 cousin lord Hunsdon, governor of Berwick.
 Fulden, a village on the borders, was ap- His inter-
view with
lord Hun-
don.
 pointed for the place of interview; and upon
 the promise of Arran to enter into all Eliza-
 beth's views it was agreed, that the master of
 Gray should be sent with recommendations by
 lord Hunsdon to Elizabeth, to prevail upon
 her to order the exiled lords into the inland
 parts of England, so as to take from them the
 means of corresponding with their friends in
 Scotland. During this negotiation, Arran be-
 gan to have some suspicion that Gray might
 worm him out of his master's favour; and he
 therefore the more willingly agreed to the em-
 bassy, but with a strict charge that he should
 employ his utmost credit with Elizabeth in fa-
 vour of Arran.

This was a critical juncture for the unfortu-
 nate Mary. Gray, during his residence in
 France, where he lived with unbounded pro-
 fusion, had renounced the protestant religion
 to make himself the more agreeable to the
 duke of Guise, who recommended him to
 Mary;

Letter from
 James to
 his mother.

A. D. 1585. Mary ; and she considered him as the best and most powerful friend she had about her son's person. At this time, the treaty of association was actually settled between Mary and her son, who wrote her a most affectionate letter in French on the subject. He thanked her for sending Fontenay to his court. " I cannot (said he) express the vast comfort I have received by hearing from him of your circumstances, and particularly the incomprehensible maternal affection which you are pleased to continue towards me, and which will oblige me more than ever to accomplish your commands by every duty of humility and obedience." " Fontenay (continues he) has acquainted me with but few particulars of your intentions, especially with regard to our perfect union and association, which I shall not fail to ratify upon the return of lord Seton, who Fontenay tells me has obtained from the archbishop of Glasgow the letters-patents, and articles relating to it, to enable him to carry on the other business and negotiations with which I have charged him. Mean while, I shall do all that is possible in my power to prepare the minds of our common subjects to ratify and approve the conclusion of our said association. Without any recommendation on your part, the sympathy and conformity of our dispositions, and the resentment I have of the injuries and treasons committed against you by
lord

lord Lindsay, has determined me to punish him signally, as I hope to do his associates, not one of which shall escape that I can lay hold of.

A. D. 1585.

“ When Fontenay shall inform me of the other particulars of his negotiation, especially the secret instructions which your majesty desires I shall communicate to no other person, I shall not fail to give you, in brief, my opinion upon the whole, and to follow such directions as you shall please to prescribe. As to your deliverance, in consequence of the resolution I had long ago formed, your majesty may assure yourself that I shall soon send some of my servants with Fontenay to receive your holy benediction, and to inform you of my intentions, as well as to require from the queen of England your deliverance, which I wish above all worldly happiness. Upon the whole, I promise to your majesty that you shall find in me all the satisfaction that a good mother can hope from a most humble and obedient son, for such I shall continue during the whole course of my life. With such sentiments I most humbly kiss your hands, praying God, the creator, madam, to grant to your majesty a long and happy life with perfect health.”

Dated Falkland, July 23, 1584.

I have been the more full in my extract from this letter, which never before appeared in English, in justice to the filial affection of James; and to prove what has been denied

A. D. 1585. both by presbyterians and Roman catholics; that he never was sincere in the project of association. I am now to unfold the reasons why it never took effect.

Gray's negotiation in England.

Gray's profest errand to Elizabeth's court was to confirm the agreement between Arran and the lord Hunsdon with regard to the exiled noblemen of Scotland. The spirit and firmness of James had conquered all domestic opposition even from the pulpit; for all the preachers who had thwarted his measures, were now either silent, imprisoned, or exiled; so that he had nothing now to dread but from his fugitive subjects. Walsingham, who continued to be a determined enemy to Arran, had sent an order, in virtue of his office of secretary of state, commanding lord Hunsdon to give the Scotch exiles shelter in Holy Island. Hunsdon was not in Elizabeth's secret; and being a sensible, though blunt, man, refused to take orders from a secretary, but was at last obliged to comply. From the state-papers of England I perceive, that Davison, who still remained in Scotland, had privately bribed Gray into Elizabeth's interests; and that in the interview between Arran and the lord Hunsdon, the former had promised to keep James unmarried for three years, that he might espouse an English lady who would be then grown up, and whom Elizabeth had in her eye for his wife. Elizabeth thought this a point of so much

A. D. 1585.

much consequence, that she gave Gray a most gracious reception at her court; and agreed that the exiled noblemen and gentlemen of Scotland should reside at Norwich; and that if any treasonable practices should be proved upon them, they should be obliged to leave England. Arran looked upon this concession as an earnest of Elizabeth's friendship; and James was so well satisfied with Gray's management, that he obtained the entire confidence of the queen his mother. He made use of this to betray her most inmost secrets to Elizabeth, who made such discoveries, that she thought proper to remove her from the custody of the earl of Shrewsbury to that of Sir Amias Paulet, who carried her to the castle of Tutbury. Paulet was looked upon as a man of honour, but a puritan; and he was recommended to his new charge by his friend Walsingham. Being much afflicted with the gout, he begged of lord Burleigh that one Colles should be appointed to assist him in the custody of Mary; but even this request gave suspicion to Elizabeth; and she gave him for his assistant Sir Drue Drury, a shrewd watchful puritan.

Mary removed to the custody of Paulet.

The earl of Leicester affected so much zeal for Elizabeth's safety, that he drew up an association for her preservation, which, after being signed by great numbers of the nobility and principal gentry, passed into an act of par-

Proceedings of the English parliament against Mary.

A.D. 1585: liament, under the title of "An act devised for the safety of her majesty's most royal person, and the preservation of the realm in peace." Amongst other things, it was provided by this act, "That twenty-four, or more, of the privy-council and house of lords, to be deputed by the queen's commission, should make inquisition after all such as should invade the kingdom, raise rebellion, or attempt to hurt or destroy the queen's person, for or by whomsoever employed, that might lay claim to the crown of England. And that he for whom, or by whom, they should attempt the same, should be utterly incapable of the crown of England, deprived wholly of all right and title to it, and prosecuted to death by all faithful subjects, if he should be judged by those four and twenty men to be guilty of such invasion, rebellion, or treasonable attempt, and by public proclamation so declared."

Severe
treatment
of the pa-
pists.

The reader will easily conceive that this act was entirely levelled against Mary; and it was followed by another of a very rigorous nature against papists. It was, with great reason, considered by her and her friends both at home and abroad, as a preamble to the sentence of her death. Sir Francis Englefield sent her letter to him, which I have given the reader, to the pope and the king of Spain, telling them, at the same time, "how much they were mistaken

taken in having so long delayed the enterprize in her favour; and that not a moment was now to be lost, since it was plain that the queen and council of England, by putting her in the hands of base and obscure heretics, (for those are the words of his letter) were resolved to take away her life." It was after the rise of this parliament, that Leicester was sent by Elizabeth as her commander in chief, and lieutenant in the Low Countries, with very extraordinary powers, to the great displeasure of Burleigh, who desired to be dismissed from Elizabeth's service. About the same time the earl of Arundel was shut up in the Tower, for attempting to go abroad without Elizabeth's permission, as was the earl of Northumberland, who was fined five thousand marks for the concern he had taken in procuring the liberty of the queen of Scots. Elizabeth, indeed, remitted this fine on account of his former services; but he was continued in the Tower on an evidence, extorted by the fear of the rack, (which was still permitted in extraordinary cases) that he was privy to Throgmorton's treasons, and the lord Paget's escape out of England. This treatment had such an effect on the unhappy nobleman, that he shot himself in the Tower with a pistol, according to the coroner's inquest; but the papists gave out that he was murdered.

A. D. 1585.

Arran dis-
covers
Gray to be
his enemy.

Murden's
State Pa-
pers, p.
464.

The corrupt prostitution of justice by the chancellor-earl of Arran; the avowed venality of his wife in the sentences he passed, and in the disposal of places and honours, raised so general an indignation, that James began, at last, to perceive how much he had been abused; but he was afraid that he had already made Arran too great to be controlled. He had pardoned and restored to his estate the lord Claud Hamilton, one of his mother's best friends; but he was, by Arran's interest, again banished the kingdom. Gray still resided with Elizabeth; and amused Arran with the great services he had done him at the English court. Arran, however, by a secret agent, discovered that Gray was his enemy, and had been entirely gained over by Elizabeth to favour the recall of the exiled lords. Upon Gray's return to Scotland, in a secret audience he had of James, unknown to Arran, he offered him, in Elizabeth's name, a pension of four thousand pounds sterling a year, if he would be guided by Elizabeth, and recall the lords. It has been observed, that after this offer James relaxed in the affection he had till then expressed for his mother, and dropt all correspondence with her friends abroad; but he insisted upon his pension being made five thousand pounds. Elizabeth, who had carefully informed herself of his disposition, resolved, in her turn, to give him a favourite that should counter-

counterbalance Arran's power. With this view, she ordered Sir Edward Wotton, a gentleman well qualified for such an employment, to repair to Scotland. He was introduced by Gray to James in the light of an accomplished courtier, and an excellent sportsman; and he soon became the king's constant companion in all diversions of the field. One chief end of his commission was to break off a negotiation that was on foot for the marriage of James to the princess of Denmark, who was nearly related to the family of Guise. Elizabeth had been made acquainted with this treaty by Sir Thomas Bodley, her ambassador to the northern courts; and Wotton, as well as Gray, was instructed to do all they could to defeat the end of a splendid embassy, which was daily expected from Denmark. Wotton succeeded so far, that the ambassadors, who were two noblemen and a civilian, and were attended by six score persons, twelve of whom wore gold chains, were but indifferently received, and obliged to repair to Dumfermling, before they could obtain an audience. This treatment disgusted them so much, that they only opened, in public, that part of their commission relating to the redemption of Orkney and Shetland, which they alledged their master had not sold, but mortgaged for a sum of money. James gave them an evasive answer; but Melvil made him sensible of Wotton's views, and that he

A. D. 1585.

Arrival of
Sir Edward
Wotton in
Scotland.

was

A. D. 1585. was no better than a spy for Elizabeth. Upon farther enquiry, it was found that Wotton had grossly traduced James to the ambassadors; and them to James; and that he had promised to lend them money to facilitate their departure out of Scotland, without taking leave of the king. The earl of Arran behaved pretty much in the same manner; and joined in the hourly insults that were offered to the ambassadors. James being thus disabused, ordered that they should be nobly entertained; and notwithstanding the opposition made by Arran, they left Scotland perfectly well satisfied.

Arran's
credit at
court de-
clines.

James was at this time beset with ministers corrupted by Elizabeth's gold. Ballenden, the justice-clerk, as well as Gray, was her pensioner. Thus, while Arran thought he had two trusty substitutes to depend upon, they were taken into the pay of his capital enemy. He found his credit with James daily declining; and that he had no chance for safety but by plunging the nation in a war with England. The bait of a pension rendered James passive even in the case of his mother, whose danger was daily encreasing; and, at last, he resolved, if possible, to avoid a war with England, and yet save his mother by entering with Elizabeth into a league offensive and defensive upon her own terms. Arran foreseeing this, did all he could to encourage hostilities upon the borders, where an open war was, in a manner, carried
on

on between the Maxwells and the Johnstons. A.D. 1585.
 James, to conciliate matters, if possible, summoned a parliament at St. Andrew's, where he made a formal speech, setting forth the danger of the protestant religion upon the continent, and the necessity of such a league with Elizabeth. This speech was approved of; a subsidy was granted him; and he received full powers to conclude a firmer offensive and defensive league than had ever yet subsisted between the two kingdoms. This act was subscribed by the two archbishops, and a number of lay ecclesiastics, (for so the commendators may be called) as well as by the earls of Arran, March, Athol, Montrose, Marshall, and Rothes; the lords Oliphant, Thirlestane, Gray, St. Clare, Down, and Fleming, for the nobility; and by the commissioners of burghs, the officers of state, and the master of Gray. The archbishop of St. Andrew's, some time before this, had executed a secret commission with Elizabeth in England, to clear James from all suspicion of favouring popery, with which she seemed to be satisfied.

Though the credit of Arran was thus weakened with his master; though he had arbitrarily committed the earl of Athol, the lord Hume, and master of Cassils, to prison, and had, in every respect, behaved as the tyrant of his country, yet he still found means to keep his footing at court. He procured a promise

Conspiracies against James.

A.D. 1585. of the rich abbey of Dumfermling from the master of Gray, who pretended, on that account, to favour him; but, in reality, was continuing his intrigues with Wotton and Balenden for restoring the banished lords, who had now returned to the borders, and had a promise of being joined by the lord Maxwell. About the twenty-seventh of June, Mary's friend, Farnihurst, one of the Scotch wardens of the borders, was encouraged by the earl of Arran to attack the English upon some frivolous pretext; and the lord Ruffel, heir apparent to the earl of Bedford, was killed in the fray. According to some writers, Wotton had laid his scheme so deep, that he found means to baulk an expedition, which James had proposed to take in person, for restoring the peace of the borders; and he had formed a project for seizing the person of James at Stirling, and sending him into England by the exiled lords, who were immediately to be restored.

Melvil's
Memoirs.

Flight of
the English
embassador.

Whatever may be in this, it is certain that Elizabeth ordered Wotton to demand satisfaction for the death of the lord Ruffel and her other subjects; and James ordered Arran to be confined to his own house, as Farnihurst was to prison; but in the mean while he received such intelligence, as to the designs of the English embassador, and the exiled lords, who were now advancing with great rapidity, and a considerable force, that he prepared to re-

move

move from Stirling to Kincardin. Upon this sudden step, Wotton, imagining the worst, departed full speed to Berwick; but gave out that he was ordered by his mistress so to do, because Farnihurst had not been delivered up.

A. D. 1535.

The lords had rendezvoused at Linton in Tweeddale, and there formed themselves into an association, by which they promised to stand by one another till the king should receive them into favour, and deliver Arran up to public justice. They then emitted a proclamation, in which they declared that their intention was to defend the truth, to deliver the king from evil counsellors, and to preserve peace with England. In this proclamation, Arran was placed not only in an odious but a ridiculous light, for having sometimes hinted that he had a claim to the crown, by his being descended from the regent Murdoch duke of Albany. The exiled lords were now about ten thousand strong; and among them was the heads of the house of Hamilton, who remained still in exile, but who, by Elizabeth's advice, united in the common cause. The lords, being advanced as far as Falkirk, the troops which James had drawn about him were soon dispersed or dismissed, as unsafe to be trusted; and Arran, who had been recalled to court, had neither time nor opportunity to put Stirling castle, where James still resided, in a posture of defence; so that it was besieged

The exiled lords march to Stirling,

A. D. 1585. by the lords, who, after some faint opposition by colonel Stuart, became masters of the town; but in the mean while, Arran privately fled towards the west of Scotland.

which they
take pos-
session of,
and are par-
doned by
James.

Had the courage of James been more firm than it was, it would have been vain for him to have opposed the dispositions made by the returned lords. To his surprize, he found that not only Gray and Ballenden, but secretary Maitland, were advocates for their being admitted to his presence, to which James at last consented. Maitland and Ballenden were ordered to hear their demands; and the former put them in mind of their duty, and that it was more proper for them to appear as petitioners than rebels. Their answer was dutiful and submissive; and it mollified James so much, that he publicly declared he had always disliked Arran's violence; and that he was willing to pardon all that was past, provided proper measures were taken for preventing the animosities subsisting between the families of Crawford and Glamis, and those of Angus and Montrose. This moderation of James drew a suitable reply from the lords; and Stuart being removed from his post of colonel of the guards, they were admitted to the royal presence. The lord Hamilton, in virtue of his high blood, was their speaker; and all of them, falling upon their knees, he said they were come in most humble manner to beg mercy, and

and to be received into his majesty's favour. A. D. 1585.
 The lord Hamilton was the first to kiss the king's hand; and James honoured him by acknowledging, that he and his family had met with most ungrateful returns for the services they had performed to himself and his mother. He gently reproved others for their past behaviour, but severely checked his kinsman, the earl of Bothwell, for his turbulent disposition.

The pardon of the lords being confirmed, and all imaginable care being taken for preserving the public tranquillity, the master of Glais succeeded Stuart as colonel of the king's guard. The custody of Stirling castle was restored to the earl of Mar, and that of Edinburgh committed to Sir James Hume, of Coldinknows. The earls of Rothes, Glencairn, and Errol, having been very active against the exiled lords, were ordered into confinement. Arran was stripped of his ill-got title, and a parliament was summoned to meet in December at Linlithgow. Alterations at court.

We have few instances in history of a revolution like this attended with so little violence. This was in a great measure owing to the different interests which the successful party had in view; for the principle of their union was the removal and punishment of Arran; nor do they seem to have regarded Elizabeth's interest, farther than as it enabled them to return to their

A parliament, in which James asserts his authority;

A. D. 1585. their own country. James was sensible of all this, and he found his authority rather strengthened than impaired at the meeting of the parliament, though a very trying occasion presented itself. The preachers, who had fled to England when the king had freed himself at St. Andrew's, had been very serviceable to the lords, who had encouraged them to hope that they would obtain a repeal of the acts establishing episcopacy, and those which had passed against their church discipline. This was accordingly attempted; but James declared against any alteration of that kind, and an act passed that none should either publicly declare, or privately speak, or write, in reproach of his majesty's person, estate, or government. The clergy pretended that they had been betrayed by the lords of their own party, and Watson, a young clergyman at Edinburgh, was sent prisoner to the castle of Blackness, for his freedom from the pulpit on that head. One Gibson, another minister, went still greater lengths; for he said, that Arran, with his lady Jezebel, and William Stuart (meaning the colonel) were taken to be the persecutors of the church, but that now it was seen to be the king himself; against whom he denounced the curse that fell on Jeroboam, that he should die childless, and be the last of his race. When Gibson was examined before the council, instead of retracting, he boldly repeated and justified all he had said, upon

upon which, he was likewise committed to prison; but Watſon, upon promiſe of amendment, was ſet at liberty. The proceedings againſt thoſe two delinquents did not daunt the clergy; Melvil and his brother James entered upon a furious proſecution, before the ſynod of St. Andrew's, againſt the archbiſhop, for having been inſtrumental in reſtoring epiſcopacy, and penning the king's declarations on that head. The archbiſhop appealed to the king and parliament, and the more moderate part of the ſynod were for ſtopping all proceedings; but the majority voted that he ſhould be excommunicated. The archbiſhop made a vigorous defence; and James, finding that the clergy were obſtinate, in a manner abandoned the archbiſhop, who was obliged to deny, " That ever he publicly profeſſed, or meant to claim, any ſupremacy, or to be judge over other paſtors and miniſters, or yet avowed the ſame to have a ground in God's word; and if ſo he had done, it had been an error againſt his conſcience and knowledge. That he ſhould alſo deny, that in the laſt ſynodal aſſembly he did claim to be judge of the ſame; and if he had done it, that he erred therein, and in his imperious behaviour, and contempt of the ſaid ſynod: that, thirdly, he ſhould promiſe to behave himſelf better in time coming, and crave pardon for any over-ſight by him committed, claiming no farther than juſtly he might by God's word; and

A. D. 1535.

but he gives
way in eccleſiaſtical
matters.

Spotwood.

A.D. 1585. and in all other things, carry himself as a moderate pastor ought, labouring to be the bishop described by St. Paul, submitting his life and doctrine to the judgment and censure of the general assembly, without any reclamation, provocation, or appellation from the same in any time coming."

Ibid. On the assembly's part, it was required, that they "should hold the said process and sentence as undeduced, and not pronounced, and restore the bishop, in so far as concerned the said process and sentence, to the estate wherein he was before the pronouncing of the same; especially because the said process was had and deduced during the time of the conference, whereupon his majesty had conceived offence: with this proviso, always that the bishop should observe what he promised in the premises, and carry himself dutifully in his vocation in all time thereafter."

**Archbishop
Spotswood's
conjecture.**

Archbishop Spotswood (who, like his father, the superintendant of Angus, loved the doctrine of the church of Scotland, but disliked its government by a parity of presbyters) is inclined to think that James, by agreeing to these concessions, which were so derogatory to the episcopal order, sought only to temporize till he could find a proper opportunity to assert his own authority: but even this compliance did not satisfy the Melvils, who insisted that the bishop should stand excommunicated, till he should

A. D. 1585.

should give public and evident proofs of his repentance. The more compliances James made, the higher did his clergy rise in their demands. Secretary Maitland, who had acted as chancellor since Arran's flight, advised James to let his clergy follow their own courses, because they would soon become so obnoxious to the public, that they would be driven out of the country. James disliked this advice on pretence of his care for the church; but, in reality, that he might have frequent opportunities to display his theological learning by endeavouring to convert them.

Notwithstanding all the appearances of independency which James affected at this time, he was more than ever a dependant upon Elizabeth. His affection for his mother was every day cooling; and he was so much in the hands of the English party, that the infamous Archibald Douglas, though his crime was notorious, was not only legally acquitted of being concerned in Darnley's murder, but appointed resident from James at the English court, to intercede with Elizabeth for his mother's deliverance, though he was well known to be her capital enemy. This shameful conduct could only be dictated by the golden bait which Elizabeth was every day displaying to James; and I perceive that Douglas was at great pains to clear his conduct to Mary from all imputations

Scandalous
acquittal of
Douglas.

A.D. 1585. cast upon him. That princess was then shut up from all intelligence but what her enemies pleased to allow her, and they winked at her correspondence with Douglas, by which they perfectly gained their ends; for though Mary again and again refused to intercede for him, if he was concerned in her husband's murder, yet his artful letters in his own vindication, prevailed upon her to recommend him to her son. Thus the unhappy Mary was rendered an instrument of her own destruction.

The earl of Arran pursued, but he escapes.

All the conduct of James was of a like tendency, and enabled Elizabeth to strike off Mary's head with the greater safety. Randolph was once more the English minister in Scotland, and he proposed that James should put the finishing hand to the offensive and defensive league between the two kingdoms, and which would have been concluded, had it not been for lord Ruffel's death. He was likewise instructed to insist upon Farnihurst being delivered up to Elizabeth, and to settle the terms of the pension to be granted to Elizabeth under the title of a benevolence. Elizabeth offered likewise to give a private letter to James, assuring him, that she would do nothing in prejudice of his succession to the crown of England. While those transactions were depending, it was discovered by James, that Arran had robbed him of jewels to the value of two hundred thousand crowns.

James



James ordered the earl of Huntley to go in pursuit of Arran, and recover the jewels. Huntley narrowly missed surprizing Arran in Farly road, but he escaped to sea in a small pinnace; and I perceive that Arran, being returned to the road, sent the chief jewel to James.

A. D. 1585.
Moytes.

While James was thus in the hands of the English minister and faction, his country was harrassed by civil broils. The earl of Eglington was basely murdered by the Cunninghams, in a journey of pleasure he had undertaken; and the peace of the Western Islands was disturbed by two gentlemen of the names of Mackonnel and Maclean. The Scotch borderers were in arms against one another; and James was advised to renew the ancient policy of obliging their superiors to give bail for the good behaviour of their vassals and tenants. Upon the meeting of the parliament, every thing went according to the directions of the English party. The earl of Gowry's lady and children were reinstated in their honours and estates. The earls of Montrose and Crawford were continued in close prison; the government of Dumbarton castle was given to lord Hamilton, as the high treasurer'ship was to the master of Glamis; and all other promotions and honours went in the same channel. James, who disliked public commotions of every kind, did all he could, by meetings,

Alterations
in Scotland.

1586.

A. D. 1586. banquets, and parties of pleasure, to reconcile his great noblemen among themselves ; but seems, at this time, to have given up all concern for his unfortunate mother.

In this manner passed the spring of the year 1586. Elizabeth had supplied him with presents and horses for his diversion, and perhaps some money ; but refused to advance him his pension until the definitive treaty between them was signed. Mary had still friends about his person, who endeavoured to revive his filial affections. They remonstrated to him the dangerous state of Elizabeth's government at home ; and that by his exerting a proper spirit he might command his own terms, and deliver his mother. The French court would willingly have broken off the treaty between James and Elizabeth, with whom they were then upon a very indifferent footing ; and sent over an embassador, Desneval, and an agent, one Courcelles, to traverse the negotiation. They could not, however, prevail ; and in the beginning of June, James appointed Francis earl of Bothwell, great admiral of Scotland, Robert lord Boyd, and Sir John Hume of Coldinknows, to be his plenipotentiaries to treat with those of Elizabeth, who were the earl of Rutland, the lord Evers, and Mr. Randolph. They met at Berwick on the fifth of July, when the league offensive and defensive
was

was concluded, in the terms which the reader will find in the notes *. James by ratifying

• “ First, That both their majesties finding by the course of the present proceedings in foreign parts, that divers princes, terming themselves catholics, and acknowledging the pope’s authority, were joined in confederacy for extirpating the true religion, not only within their own states and dominions, but also in other kingdoms, lest they should seem to be less solicitous for the defence thereof, than were their enemies, who thought to overthrow the same, have thought it necessary, as well for the preservation of their own persons, on whose safety doth the weal of their subjects depend, as for the better maintenance of the true ancient christian religion which they now profess, to join and unite themselves in a more strict league than hath been between any princes their progenitors.

“ Second, That they should labour and procure by their best endeavours, to draw the princes, professing the same religion, to join and concur with them in the like defence thereof.

“ Third, That this league should be offensive and defensive, against all that should attempt to disturb the exercise of true religion within their kingdoms ; notwithstanding any former leagues of friendship or amity contracted with the same attemptors.

“ Fourth, That if any princes, or state whatsoever, should invade the realms and dominions of either of their majesties, or attempt any injury against their person or subjects, upon notice thereof given or received, neither of them should yield, aid, counsel, advise, or support directly or indirectly, to the said invader, notwithstanding any consanguinity, affinity, league, or treaty made, or to be made.

“ Fifth, That in case of invasion they should aid and assist each other in manner and form following. That is to say, if the realm of England should be invaded by any foreign forces in parts remote from the realm of Scotland, the king, upon signification made unto him by the queen of England, should furnish two thousand horsemen, and five hundred footmen, or a lesser number, as it shall please the said queen to require, and should cause them to be conducted from the borders of Scotland into any part of the kingdom of England, upon the charges of the said queen. And in case the said realm of Scotland be invaded in any part remote from the borders of England by any foreign force, the queen of England, upon requisition made to her by the king, should furnish three thousand horsemen, and six

A.D. 1586. this treaty sealed his mother's tragical doom, to whom I am now to return.

six thousand footmen, or a lesser number, at the option of the said king, and shall cause them to be conducted to any part of the realm of Scotland upon the king's charges.

" Sixth, That in case the invasion should be upon the north parts of the realm of England, within sixty miles of the borders of Scotland, the king, being required by the queen, should gather all the forces he could make, and join with the English power for pursuing the said invader, and keep them together for the space of thirty days, or so much longer, (if it be required) as the subjects of Scotland are usually accustomed to stay in the fields for the defence of their own kingdom.

" Seventh, That upon any invasion, or trouble arising in the realm of Ireland, the king, upon notice given him thereof, should not only inhibit the repair thither of any of the inhabitants of Argyle, the isles, and places adjacent, or any other parts of his dominions; but also, if it shall happen that they or any of them shall go into Ireland with a number extraordinary, and in hostile manner, the king, upon signification of the same, should denounce them his rebels, and pursue them as traitors.

" Eighth, That neither of their majesties should hereafter supply, assist, or entertain the rebels or adversaries of the other, nor permit them to reside either privately or publicly in any part of their dominions; but upon the first requisition of the prince to whom they are rebels, they should undelayedly be delivered according to the old leagues and treaties, and then expelled forth of their dominions, and redress made for any injury they should happen to commit during their abode in the same.

" Ninth, That all controversies about matters of borders, or wrongs committed in the marches since the time of the king's accepting the government in his own person, and by the space of four years preceding, should be friendly determined, and satisfied at the sight of commissioners, to be appointed on both sides, who should meet at the marches within six months after the date of the presents, and decide thereupon.

" Tenth, That neither of their majesties should enter into any league or treaty (without the consent of the other, by letters signed with their hands under their privy-signet) with any other prince or state whatsoever, to the prejudice of the present treaty.

" Eleventh, That all former treaties betwixt their majesties progenitors and both realms, notwithstanding any discontinuance

The labyrinths of her negotiations both in England and with foreign powers are inexpressible; and her correspondence with Morgan, Paget, and her other agents, during this and the preceding year, form of themselves a large volume. All of them tend to the same purpose, that of procuring her deliverance from prison by some means or other; but a recital of particulars would be endless. I shall therefore keep by the great outlines of her tragical history, without descending into minutenesses.

A. D. 1586.

Arrangement of Mary's correspondence abroad.

It is not to be denied, that the detestable doctrine of deposing and murdering princes upon papal bulls and excommunications, had been carefully cultivated in the English seminaries abroad, particularly at Rheims; and when it worked upon a weak brain, it produced the most frantic resolutions. Elizabeth had several times escaped assassination by some of these enthusiastic priests; but Charles Paget

Discoveries made by Walsingham.

ance thereof, should stand in full force, so far as they should not be found derogatory to the present treaty: and that this treaty should not infringe any league made by either of their majesties or their progenitors with other their friends and confederates in any time by gone, the cause of religion only excepted, wherein the present league is declared to be offensive and defensive.

"Twelfth, That both their majesties should confirm the league by their oaths and great seals, which should be interchanged, and mutually delivered to each other.

"Thirteenth, lastly, That the king, at his coming to the perfect age of twenty-five years, should cause the present league to be ratified by the states of the kingdom; like as the queen, at the same time, should cause it to be confirmed in her parliament of England."

and

A.D. 1586.
See Mur-
den's Col-
lections.

Letter from
Mary to
Charles Pa-
get, July 27.

and Morgan, as appears by their letters, were at great pains to dissuade Mary from having the least concern with so desperate a set of men. Mary, in answer to their caution, acquainted them that she would entertain no intelligence with any but the residents appointed by herself. These were, her ambassador the archbishop of Glasgow, Charles Paget and Morgan for France (if the latter was permitted to reside in that country); the lord Paget and Sir Francis Englefield for Spain; Dr. Lewis, or Morgan (if he was forced to leave France) for Rome; Ligons, for the Low-Countries; and the lord Claude Hamilton, with Courcelles, for Scotland. Walsingham perceiving that somewhat was in agitation among the English Roman catholics, ordered the most artful of his spies (one Maud) to pretend a violent attachment to popery, and to mingle in their councils, which he did, without being in the least suspected. Walsingham soon discovered that a priest (one Ballard) had been sent to England from the seminary at Rheims, and that he was the chief agent for the English Roman catholics. Being a man of intrigue, and well acquainted with the heads of that religion both in England and Scotland, he was commissioned by them to go to France, and there to treat with Mendoza and the duke of Guise, for renewing the project of a descent upon England. Ballard met with a ready reception, and a meeting of Ma-
ry's

ry's friends in France, at which the pope's and the duke of Parma's agents assisted, was held. A. D. 1536.

In this meeting, Charles Paget, who appears to have had the fondest head amongst them, disapproved of any attempt being made upon England, during Elizabeth's life. His opinion, however, was over-ruled; and Ballard was sent back in a military dress to England, to concert measures with the party for favouring the invasion. Ballard met with great encouragement, and the heads of the Roman catholics imparted the result of their consultations to Mary, and she referred them to Mendoza and the pope's agent. Her dispatches at this time prove that she had been rendered desperate by her harsh treatment, and the length of her confinement. She pressed all her agents at foreign courts to insist upon something being attempted for her deliverance without farther negotiating or trifling; and she dropt some expressions as if she had not been well used by her friends abroad, thro' their procrastinations and timidity.

While Ballard was abroad, he was informed by the archbishop of Glasgow of a Derbyshire gentleman, one Anthony Babington, with whom he had been acquainted in his travels, who was a violent papist, and entirely devoted to Mary's service. Babington had been recommended, before Ballard was embarked in her affairs, to Mary both by the archbishop

Babington
engaged in
Mary's service.

A. D. 1586. and Morgan ; and upon his return to England, while she was in the earl of Shrewsbury's custody, he had, by his fine parts and address, been of singular service to her by managing her correspondence with her friends. When she was removed to the custody of Paulet, Babington, either through disobligation, discouragement, or difficulty, dropt his connections with Mary ; but his zeal for her service was now reanimated, and rendered stronger than ever by Ballard. Babington being informed that one Savage had been so heated by the discourses of Romish priests, that he had devoted himself to murder Elizabeth, envied him the glory of the action, and prevailed with Savage to admit five of his (Babington's friends) to be his associates in the murder. He likewise laid down a scheme for raising a hundred gentlemen, who were to deliver Mary by force from her imprisonment ; and many dispatches passed both in England and abroad on the subject of the intended invasion. Mary very possibly thought that Babington was too precipitate ; and impatient as she was for her liberty, she desired him and his friends to desist from all violent attempts till they were assured of assistance from abroad, and heard of an insurrection which had been projected in Ireland.

Artful practices of
Walsingham.
h. 111.

Walsingham's amazing genius for political intrigue made him master of all Babington's schemes,

schemes, and those of Mary's other friends, as soon as they were proposed. His spy, Maud, informed him of all that had passed between Mendoza and Ballard, and the other English fugitives abroad. One Polly, who had been strongly recommended to, and was so entirely trusted by, Mary that he was in all Babington's secrets, being gained by Walsingham, betrayed them to that minister. Gifford, a priest, who managed the correspondence between Mary and Babington, which passed in cypher, was gained over in like manner, and brought to Walsingham all their letters. A dexterous decypherer, one Phillips, explained them; and Walsingham, after taking copies of them all, employed one Gregory, who sealed them up so artfully, that it could not be perceived they had been opened; and then returning them to Gifford, he delivered them according to their original directions. Neither Mary nor any of the conspirators suspected that they were now within an inextricable toil. The hopes of foreign assistance being somewhat weakened by delay, Babington, in order to quicken the invasion, resolved to go over in person to the continent. That he might more effectually serve his party, he offered to rank himself among the numerous Roman catholic spies whom Elizabeth entertained abroad; and promised, that if Walsingham would give him a passport, he would send

A. D. 1586. him intelligence of all that passed among Mary's friends. Walsingham promised him the passport; but desired him to guard himself against the government's spies, who perhaps might inform against him, in which case he must be brought to a trial, to preserve his credit with his own party.

Babington
prepares for
the conspiracy.

Babington acquainted Ballard, who was to have attended him abroad, with all that passed between himself and Walsingham. Towards the end of July, Babington received a letter in Mary's cypher, desiring him to deliver a packet that had come from Morgan, and had been given to him by the French ambassador's secretary. Babington, not doubting that the letter came from Mary, gave the bearer the packet, and with it a letter informing her of all that had passed between him and Ballard, and insisting upon suitable rewards being given to the gentlemen whom he had engaged in her service; and if they should fail, to their posterity. While Babington was waiting for the return of Walsingham, who was absent from London, he reviewed his band of conspirators, and suited to each the part he was to act. One Abington, whose father had been formerly cofferer to Elizabeth, Barnwell, a gentleman of quality in Ireland, and Savage, who has been already mentioned, readily undertook the murder, and bound themselves by an oath to kill Elizabeth. Tilney, one of the
band

A.D. 1586.

band of pensioners, and Tichburn, a Hampshire gentleman, were startled at first at the thoughts of murder; but they were soon reconciled to it by Ballard's priestly sophistry, and joined with the other four. Babington and Ballard, who knew their men, carefully concealed the murdering scheme from those conspirators who they thought could not be brought to imbrue their hands in their sovereign's blood, but willingly undertook to assist in delivering Mary from her imprisonment. Among those were Edward Windfor, and a Devonshire gentleman of fortune, one Salisbury.

Progress of
the same.

All the conspirators were enthusiasts for the Roman catholic religion, brave, handsome, and young. Babington took care to keep up their spirits and resolution by frequent meetings, which often ended in intemperance; and the theme of their discourse always turned upon the glory of their attempt, and the merit of rescuing injured innocence; not without exultations upon the noble prospect that was reserved for them and their posterity, in case they succeeded. They became, at last, so much intoxicated with vanity, that the portraits of the seven murdering conspirators were sketched out upon canvas; and when Polly privately shewed the piece to Elizabeth, she immediately recollected the face of Barnwell. Happening some days after to walk abroad, she saw him; and turning to Hatton, captain of her guard,

“ Am

A. D. 1586.
Camden.

“Am I not (said she) finely attended, when I have not a man in my company who wears a sword?” But though Elizabeth and her minister Walsingham were possessed of more than sufficient evidence against the conspirators, they had discovered nothing that could affect Mary’s life; nor indeed did it ever appear that she was in the secret of the murdering part of their plot. Walsingham, to bring her within the statute of association lately passed, which rendered it death for her to be concerned in any attempt upon the life of Elizabeth, tampered with Paulet to suffer Gifford the priest to corrupt one of his domestics to betray Mary. Paulet declined this; but he agreed that Gifford should bribe a fellow in the neighbourhood, who had been employed by Mary to manage her correspondence through a hole in the wall of her prison, which was stopt up by a loose stone. The fellow accordingly communicated all the letters from or to Mary to Gifford, who carried them to Walsingham, and he made the same use of them as he had of her others.

It is discovered.

Elizabeth began now to think that Walsingham might spin the thread of his policy too fine, and she peremptorily ordered that Ballard, whom she considered as the most dangerous of the conspirators, should be apprehended in Babington’s house, and committed to prison; which was done. This did not disconcert

concert Babington, who imagined that it proceeded from the officiousness of the spies and informers whom Walsingham had advised him to guard against, and that minister encouraged his mistake. He bribed, however, one Scudamore, a companion of Babington, to watch his motions; and at a certain time he sent him a note, desiring he would be more than ever observant of his charge. The latter, through Scudamore's inadvertency, read the note along with him, and that night made his escape. The conspirators were now fully convinced that their plots were discovered, and for some time wandered about both in town and country in mean disguises; but they were pursued so hotly, that all of them except Windsor were taken, and brought up to London. Upon their examinations while in prison, they could fix no guilt upon Mary, farther than that she and Babington had used to correspond together; nor did it appear that Babington had ever seen her write. On the thirteenth of September, seven of the conspirators, among whom were Babington and Ballard, were arraigned; and having pleaded guilty, they were executed with all the rigour of the sentence pronounced against traitors. Seven others were convicted next day, and executed, but less rigorously; and all of them died repenting that part of their conspiracy which regarded the murder of Elizabeth.

Mary,

A. D. 1586.

Elizabeth
embroils
the affairs
of France.

Mary, during the prosecution of the conspirators, was at great pains to clear herself by her letters to Elizabeth, and otherwise, from all suspicion of being concerned in their assassinating schemes; but her doom was now fixed; for Elizabeth was determined, at all events, to bring her to the scaffold. A favourable opportunity now presented. A resolution had been taken by the Guises, who were at the head of the French league, if Henry the third should die without issue, to place the cardinal of Bourbon upon the throne of France, instead of the king of Navarre, who was the true heir according to the Salic law. That prince appealed to Elizabeth, who promised to assist him; but the queen-mother, for family-reasons, taking part with the Guises, a civil war was kindled in France, in which the prince of Condé took part with the king of Navarre; and Elizabeth having supplied the Hugonots with some money, engaged the protestant princes of Germany in their favour; so that the Guises found themselves in no condition to fulfil the promises they had made to Mary and her friends. The court of Spain was so much interested in the civil war of France, that Mary was equally disappointed from that quarter; and the king of Denmark having offered his mediation between Elizabeth and his Catholic majesty, she seemed disposed to accept of it, that she might strike off Mary's head with the greater security.

As a preparative for that catastrophe, it was resolved in Elizabeth's council, and by the advice of Leicester, who, while he remained in the Low Countries, was Mary's mortal enemy, to transport her to Fotheringay castle in Northamptonshire; and the care of conducting her thither was assigned to her keeper, Paulet. The favourable disposition of the gentlemen of the counties through which she was to pass towards Mary, rendered her removal a matter of so much difficulty, that the lord-treasurer, Burleigh, took the pains to draw up with his own hand a paper of instructions, marking out the different stages of her journey; but none of them in the direct road to Fotheringay castle, till she should be brought thither by a short, sudden, turn. Paulet, by the help of those instructions, performed his commission with great dexterity; which gave Elizabeth so much satisfaction as to draw from her the following letter, from which the reader may easily guess the situation of her mind, and how very determined she was, notwithstanding her solemn protestations to the contrary, to have the blood of the unhappy Mary.

“ To my faithful Amias,

“ My most careful and faithful servant, God reward thee treble-fold in the double for thy most troublesome charge, so well discharged. If you knew, my Amias, how kindly, besides dutifully, my grateful heart accepteth your

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Z

double

A. D. 1586.

Mary removed to Fotheringay castle.

Letter of Elizabeth to Paulet.

A. D. 1586. double labours and faithful actions, your wife orders and safe-conduct, performed in so dangerous and crafty a charge, it would ease your travel, (troubles write over head) and rejoice your heart. And (which I charge you to carry this most just thought) that I cannot balance, in any weight of my judgment, the value I prize you at : and suppose no treasure to countervail such a faith ; and condemn myself in that fault which I have committed, if I reward not such deserts ; yea, let me lack, when I have most need, if I acknowledge not such a merit with a reward non omnibus datum.

“ But let your wicked mistress know, how with hearty sorrow her vile deserts compel those orders ; and bid her, from me, ask God forgiveness for her treacherous dealing toward the savor of her life for many years, to the intolerable peril of her own. And yet, not content with so many forgivenesses, must fall again so horribly, far surpassing a woman, much more a princess. Instead of excusing whereof, not one can serve, it being so plainly confessed by the actors of my guiltless death. Let repentance take place ; and let not the fiend possess, so as her best part be lost ; which I pray, with hands lifted up to him, that may both save and spill, with my loving adieu, adieu, and prayer for thy long life, your assured and loving sovereign in heart, by good desert induced,

“ Elizabeth Regina.”

A. D. 1586.
Barbarous
treatment
of Mary.

After Mary's arrival at Fotheringay castle, her treatment was barbarous beyond precedent, and almost beyond belief. Sir Thomas Gorges was ordered by Elizabeth to inform her as to the fates of Babington and his associates. He pretended that her letters which had been intercepted, directed to Babington, Mendoza, Paget, Englefield, and other English exiles, would undoubtedly convict her of being concerned in the conspiracy against Elizabeth's life; that it appeared from them that she had recommended the earl of Arundel and his brothers, with the young earl of Northumberland, to head the insurrection in England; but that she had cautioned them not to take the field till they were certain of foreign assistance, and till (as we have already seen) some commotions were raised in Ireland. It happens fortunately for the memory of Mary that the chief of those letters are still preserved; and that though she there expresses the strongest anxiety for her liberty, yet she is entirely silent as to the assassination plot. With regard to the other charges, she was so far from denying them, that, as I have already mentioned, she justified them, because, as a sovereign princess, she was not subject to the laws of England, and was at liberty to use all means for her deliverance. We cannot therefore see with what propriety the reverend editor of a collection of State Papers, says in

Murden.

A. D. 1586.

his preface, that they throw a very unfavourable light on the conduct of Mary,

She is
robbed of
all her
jewels.

Let a candid reader peruse them, and he will not be able to fix upon a single passage that is not justified by the strictest laws of honour. It was not enough for Mary's enemies to resolve upon her death, unless it was preceded by the most mortifying and violent circumstances of disgrace. Elizabeth remembered Mary's promise that her last words should be those of a queen; and she could not bear her magnanimous perseverance in fulfilling it. Great as Elizabeth was, she had a strong tincture of low, feminine, envy; and she even wantonly endeavoured to subdue Mary's high spirit by multiplying her hardships and disgraces. Paulet had orders to strip her of her money; calling to his assistance one Bagot, they burst into Mary's room, who was then in bed, and ill of a paralytic disorder arising from her confinement. He demanded her money in the most ruffian-like manner; and upon her refusing to deliver up the key of her cabinet, he brought crows and hammers to break it open. Mary upon this delivered up her key; and Wade seized between five and six thousand crowns in ready money. After this, he confined her servants to their several rooms, which he likewise searched for money, till he should receive orders from court for their being discharged from their attendance on their mistress.

Letter from
Paulet.

Mary had two secretaries, Nau and Curr, the former a French, and the latter a Scotchman; but neither of them possessed with courage or constancy sufficient to endure the rack, and therefore the evidence they gave against Mary (if any) ought to go for nothing. Their chambers were in like manner rifled; their papers and persons secured, and both of them examined in order to fix upon Mary the charge of being concerned in Babington's association plot. Elizabeth's next deliberation (now that she was possessed of all the evidences and papers that she could desire) was in what manner, and under what denomination, Mary should be tried. Two methods were suggested: the first was to try her upon the general words of the statute of the twenty-fifth of Edward the third, "whereby he is made guilty of treason who shall compass or imagine the destruction of the king or queen, raise war in his or her dominions, or adhere to his or her enemies." The other was to try her by the association act of the twenty-seventh of Elizabeth, the substance of which we have already rehearsed. The latter method was approved of, because, when that act passed, Mary was in England, and, according to the lawyers, owed a local allegiance to queen Elizabeth. The designation under which she was to be tried (for Elizabeth would not suffer her to be tried as a private person) came next under

A. D. 1536.

Preparations for her trial.

A. D. 1586. der consideration. The lawyers were of opinion that no foreign name of dignity could be primarily taken notice of by the English law, though it might by an "alias dicta," which went for nothing after the person was certainly and properly described. They therefore rejected her title of the queen of Scots, and designed her in the commission which was issued for her trial, "Mary daughter and heiress of James the fifth, lately king of Scotland, and commonly called queen of Scots and dowager of France." Elizabeth agreed to this expedient; but affected to be struck with the remonstrances of Bethune the French ambassador; "that Mary, like Elizabeth, was an anointed, independent, princess; that one equal could not have power over another; and that while she was in England, her actions were cognizable only by the law of nations." The answer to those remonstrances was, that Mary had been deposed from her kingdom; that she had voluntarily relinquished it; and that she was feodary to the crown of England; and that in the case of every sovereign in another sovereign's territories, he or she was to be considered but as a private person. It was likewise urged, that every person living in England was subject to its laws; and that, even by the civil law, she might be tried for treason. The last opinion was attempted to be supported by some cases drawn from the pope's decretals

decretals and the civil law ; and to prove how impertinent and inconclusive they were, I have, in the notes *, given the opinion of Dr. Valentine Dale, the greatest civilian then in England, in a letter to lord Burleigh. Upon the whole, I may venture to affirm that it was ridi-

* “ Pleaseth it your lordship to confirm your opinion assuredly, quod delinquens punitur loco delicti, nulla dignitatis habita ratione. It may please your lordship to consider these words following of the pope’s own writing, in Clementina pastoralis de reindicata, which he made expressly to revoke the sentence of Henry the seventh against king Robert of Sicily.

“ Quod si punitio criminis intra districtum imperialem commissi ad imperatorem forsitan pertinuisse asseratur ; verum est quidem, si in eodem districti fuisset inventus delinquens, &c. so that in the present case, the party being in the same territory where the crime was committed, the pope himself confesseth the conclusion and assertion of the emperor to be true, and yet the civilians do write, that in the very case of king Robert of Sicily, which was out of the territory of the emperor at the time of the sentence, juristæ debent & tenentur sequi factum imperatoris, & non papæ.

“ It may please your lordship also to call to remembrance, that when all the civilians were consulted in the bishop of Ross’s case, it was resolved, quod legatus punitur in loco delicti, si delinquat tempore legationis, non obstante legati privilegio. And indeed the very text of the civil lawyers is plain in the case, E. non actio si legati, F. de judiciis legati ex delictis in legatum commissis coguntur judicium Romæ pati ; sive ipsi admiserint, sive servi eorum, and yet legatus sustinet personam sui principis ; and of all men the most privileged, ipso jure gentium.

“ If it may be any satisfaction unto her majesty, or if her majesty be desirous to be fully resolved in this point, your lordship may assuredly inform her majesty of the premisses, as it shall seem to your lordship most convenient. Nihil enim est in toto jure certius, what doubt soever any man do make of it. And thus I have not to trouble your lordship any further.

At London, the sixth of October, 1586,

Your lordship’s most humble,
Valen. Dale.”

Strype, vol. iii. p. 365.

culous

A. D. 1586. culous in the crown lawyers to say that Mary, who, ever since her first arrival in England, had been kept a close prisoner, enjoyed the protection of the laws, or that her local residence in England, under a forced confinement, subjected her to be tried by the laws of that kingdom. But I am now to attend the proceedings of the court of Scotland.

James betrayed by his ministers.

James continued to be so infatuated by his English pension, that for some time he had not only dropt all thoughts of his mother, but had taken her mortal enemies into his most inmost councils. Among them was Archibald Douglas, who continued still to be his resident in England with the master of Gray, and both of them had sold themselves to Elizabeth. Fontenay, the French ambassador at his court, as appears from his letter to Mary of this year's date, had attempted to bring James to sign the instrument for associating his mother with him in the government, and for taking some vigorous resolutions towards her deliverance; but the answers of James to all his proposals were so cold and evasive, that he lost all hopes of success. Nothing was so terrible to Elizabeth as the thoughts of a war with Scotland at this time; and I perceive from the State Papers that her creatures fed James with the ridiculous hopes of marrying Elizabeth herself, and being declared by the English parliament her heir and successor. Many other

Murden's State Papers.

other baits of the same kind were thrown out to him; but when he certainly understood that preparations were making for trying his mother for life, it gave a shock to his nature. The following is part of a letter from the master of Gray to his confederate Archibald Douglas. "His (James's) opinion is, that it cannot stand with his honour that he be a consentor to take his mother's life; but he is content how strictly she be kept, and all her old knavish servants hanged, chiefly they who be in hands. For this you must deal very warily to eschew inconveniencies, seeing necessity of all honest mens affairs requires that she were out of the way." Two days after, Gray writes that James was content the law should go forward against his mother, her life being safe; and that he would gladly wish that all foreign princes should know how ill she has behaved towards Elizabeth, and that she receives favour through her clemency. By a letter from James himself, directed to his mother's secretary Nau, about the same time, he orders him to make up some differences that had fallen out between Mary and the countess of Shrewsbury; but refers further particulars to Archibald Douglas, whom he desires her to trust as himself.

A. D. 1586.

Dated Dec.
8.

After reading the above extracts, the reader can scarcely doubt of the meanness of James, and the duplicity of his ministers. There is

Proceedings
upon Ma-
ry's trial.

A. D. 1586. too much reason to believe, that the resentment which he afterwards seemed to express on account of his mother's trial and execution, was, at best, but affected, and meant only to keep up appearances with Mary's party in Scotland, who silently reproached him for his tameness. This gave Elizabeth, at first, some apprehensions; but they were quieted by Douglas, who privately advised her to strike the blow, for which Elizabeth was now fully prepared; and a commission, which the reader will find in the notes *, with the names and

* Elizabeth by the grace of God, of England, France and Ireland, queen, defender of the faith, &c. To the most reverend father in Christ, John, archbishop of Canterbury, primate and metropolitan of all England, and one of our privy-council; and to our trusty and well beloved Sir Thomas Bromley, knight, chancellor of England, and one of our privy-council; and also to our trusty and well beloved William, lord Burleigh, lord treasurer of England, another of our privy-council; and also to our most dear cousin, William, lord marquis of Winchester, one of the lords of the parliament; to our most dear cousin Edward earl of Oxford, great chamberlain of England, another of the lords of the parliament; and also to our most dear cousin George, earl of Shrewsbury, earl marshal of England, another of our privy-council; and to our most dear cousin Henry, earl of Kent, another of the lords of the parliament; and also to our cousin Henry, earl of Derby, another of our privy-council; and to our most dear cousin Edward, earl of Rutland, another of the lords of the parliament; and to our most dear cousin Ambrose, earl of Warwick, master of our ordnance, another of our privy-council; and to our most dear cousin Henry, earl of Pembroke, another of the lords of the parliament; and also to our most dear cousin Robert, earl of Leicester, master of our horse, another of our privy-council; and to our most dear cousin Henry, earl of Lincoln, another of the lords of the parliament; and also to our most dear cousin Anthony, viscount Montague, another of the lords of the parliament; and to our trusty and well beloved Charles, lord Howard, our high admiral of England,

employments of her judges, was issued for trying Mary. The reader will there see, that out A. D. 1536.

land, another of our privy-council; and to our trusty and well beloved Henry, lord Hunsdon, our lord chamberlain, another of our privy-council; and also to our trusty and well beloved Henry, lord Abergavenny, another of the lords of the parliament; and to our trusty and well beloved Edward, lord Zouch, another of the lords of the parliament; and also to our trusty and well beloved Edward, lord Morley, another of the lords of the parliament; and to our trusty and well beloved William, lord Cobham, lord Warden of our cinque-ports, another of our privy-council; and also to our trusty and well beloved Edward, lord Stafford, another of the lords of the parliament; and also to our trusty and well beloved Arthur, lord Grey of Wilton, another of the lords of the parliament; and also to our trusty and well beloved John, lord Lumley, another of the lords of the parliament; and also to our trusty and well beloved John, lord Stourton, another of the lords of the parliament; and to our trusty and well beloved William, lord Sandes, another of the lords of the parliament; and also to our trusty and well beloved Henry, lord Wentworth, another of the lords of the parliament; to our trusty and well beloved Lewis, lord Mordaunt, another of the lords of the parliament; and to our trusty and well beloved John, lord St. John of Bletneshe, another of the lords of the parliament; and also to our trusty and well beloved Thomas, lord Bückhurst, another of our privy-council; and to our trusty and well beloved Henry, lord Compton, another of the lords of the parliament, and also to our trusty and well beloved Henry, lord Cheyney, another of the lords of the parliament; to our trusty and beloved Sir Francis Knolles, knight, treasurer of our household, another of our privy-council; and also to our trusty and beloved Sir James Crofts, knight, comptroller of our said household, another of our privy-council; and to our trusty and beloved Sir Christopher Hatton, knight, our vice-chamberlain, another of our privy-council; and also to our trusty and beloved Sir Francis Walsingham, knight, one of our principal secretaries, another of our privy-council; and also to our trusty and beloved William Davidson, esq. another of our principal secretaries, and of our privy-council; and also to our trusty and beloved Sir Ralph Sadler, knight, chancellor of our duchy of Lancaster, another of our privy-council; and also to our trusty and beloved Sir Walter Mildmay, knight, chancellor of our exchequer, another of our privy-council; and to our

A.D. 1586. of forty one judges seventeen possessed places

our trusty and beloved Sir Amias Paulet, knight, captain of our castle of Jersey, another of our privy-council; and to our trusty and beloved John Wolley, esq. our secretary for the Latin tongue, another of our privy-council; and also to our trusty and beloved Sir Christopher Wray, knight, chief justice assigned for the pleas to be holden before us; and to our trusty and beloved Sir Edmund Anderson, knight, our chief justice of the bench; Sir Roger Manwood, knight, our chief baron of our exchequer; Sir Thomas Gawdy, knight, one of our justicers assigned for the pleas to be holden before us; and William Periam, one of our justicers of the bench, greeting, &c. Then (not to write it all down verbatim) after the recital of the act made the last year, thus it follows: Whereas since the end of the session of parliament, viz. since the first day of June, in the twenty-seventh year of our reign, divers things have been compassed and imagined tending to the hurt of our royal person, as well by Mary, daughter and heir of James the fifth king of Scots, and commonly called queen of Scots, and dowager of France, pretending a title to the crown of this realm of England, as by divers other persons, with the privy of the said Mary, as we are given to understand; and whereas we do intend and resolve, that the foresaid act shall be in all and every part thereof duly and affectionately put in execution, according to the tenor of the same, and that all offences abovesaid, in the act abovesaid, mentioned as afore is said, and the circumstances of the same, shall be examined, and sentence or judgment thereupon given, according to the tenor and effect of the said act; to you and the greater part of you, we do give full and absolute power, licence, and authority, according to the tenor of the said act, to examine all and singular matters compassed and imagined, tending to the hurt of our royal person, as well by the foresaid Mary, as by any other person or persons whatsoever, with the privy of the said Mary, and all circumstances of the same, and other offences whatsoever abovesaid, in the act abovesaid (as afore is said) mentioned, and all circumstances of the same, and of every of them, and thereupon according to the tenor of the act abovesaid, to give sentence or judgment, as upon good proof the matter shall appear to you. And therefore we command you, that you do at such certain days and places, which you, or the greater part of you, shall, for that purpose, set and agree upon, diligently proceed upon the premises, in form abovesaid, &c. Cambden, p. 519.

imme-

A. D. 1586.

immediately under Elizabeth; others were under the lash of the government, as being suspected papists; and instant ruin must have followed their differing in opinion from the other commissioners. The remaining part of the commissioners were privy-counsellors or judges in Westminster-hall, who in those days were removeable from their seats at pleasure. The first meeting of the commissioners at Fotheringay-castle was on the eleventh of October. Mildmay and Paulet, who were two of her most violent enemies, presented her with Elizabeth's commission, and letters for her trial. She read them with a becoming dignity, and complained bitterly of the hardships of her case. Her long imprisonment, she said, and her sedentary life, had deprived her of the use of her limbs; that what she had foreseen had happened, as the association act was originally meant for her destruction. She next, gently, reflected on Elizabeth for having lately, without her privity, concluded a treaty with her son; and she refused, as she was a sovereign princess, to be tried as a subject. She declared that she was ignorant of the laws and constitutions of England, where she could have no peers; and remonstrated how unjust it was to try her, a single, helpless, woman, who had none to plead her cause, and was deprived of all the means of defence; by her enemies seizing her papers, the only evidences of her innocence.

A.D. 1586.

cency. She added, with a noble spirit, that she disdained a lie; nor would she deny, that, thinking herself warranted by her wrongs, she had thrown herself upon the protection of foreign princes. Next day, she said that she did not conceive herself to be subject to the laws of England merely, as Elizabeth had written to her, for having enjoyed her protection, because she had never enjoyed such protection; nor had she ever an opportunity of knowing what the laws were.

Mary's resolute behaviour put her judges to a stand; for they were at a loss how to proceed, if she should continue to dispute the validity of their commission. She was attacked in their turns by the lawyers and the great officers of state. The former threatened to proceed against her as in absence, if she continued to dispute their commission; and Burleigh, in a studied harangue, recounted to the court the several kindnesses shewn to the prisoner by Elizabeth. Mary heard his speech with a contemptuous, but just, disdain. She demanded to know by what law they intended to proceed. As to that named in the commission, she observed that it was made, and meant, purposely against herself; and that they had no civilians in the kingdom who could try her by any law but that of England, to which she was determined not to submit. She offered, however, to clear her conduct in a full parliament,

ment, or even before the commissioners themselves, but not judicially. She was answered by Hatton in a florid, sophistical, manner; and, at last, perceiving that her judges would certainly proceed against her, and fearing that her making no defence might be construed into a tacit acknowledgment of guilt, she consented to answer before the commission under a strong protestation, saving her own rights and dignity. This was a fatal step in Mary; but how could she avoid it, circumstanced as she was, without friends or advice, and betrayed by those to whom she ought to have trusted for safety?

The trial then proceeded with a shew of solemnity and order. Mary repeated her proclamations, and renewed her protests. The capital charge urged against her by the crown lawyers was her being concerned in, or having knowledge of, Babington's conspiracy. Had they fairly made good this, it would have brought her under the act of the twenty-seventh of Elizabeth, upon which she was tried; but all they produced to support it was Babington's own confession while under sentence of death, and some copies of letters said to have been written by her to Babington; and though not so much as pretended to be of her hand, were drawn up so as to agree with his confession. Among the other absurdities with which those letters were stuffed, one was, her desiring Babington

A.D. 1586. bington to apply to the earl of Northumberland, who was but a boy, and to the earl of Arundel, who was a close prisoner, for assistance. Upon mention of the Howard family, Mary, who till then had continued unmoved, burst into tears: "Alas! said she, how much has that noble house of Howard suffered for my sake!" She then again solemnly denied her being concerned with Babington in the assassination plot; and when a letter was produced written in her cypher approving of it, she positively declared that it never was written by her, or by her order; and took notice, that as Walsingham, who, though one of her judges, was her avowed enemy, and was in possession of her cyphers, it was easy for him to forge such a letter for her destruction. She owned that she had been earnest with Elizabeth to mitigate the penalties of the catholics; and that she had obeyed the dictates of nature in endeavouring to engage her friends to deliver her: "But, said she, I would not purchase the highest felicity on earth with the smallest taint of blood, far less with that of a queen and a sister." She concluded this part of her defence with farther proofs of the falsehoods alledged against her, and drew from Walsingham a most solemn awkward apology of his own sincerity and impartiality, which all who heard him disbelieved.

The crown lawyers next pressed her secretary

A. D. 1586.

tary. Curl's deposition as an evidence of her guilt. I have more than once observed how little regard ought to be paid to confessions extorted either by the fear or feeling (for they are both the same) of the rack. There cannot be the least question that the confessions of Babington, Ballard, Nau, and Curl (if they made any) were extorted from them in that manner. Mary acknowledged that she always believed her two secretaries to be honest men; and if they had accused her in their depositions to have dictated an answer to Babington's letter, they had committed two great faults; the first, in violating the oath of secrecy which they had taken to her at their admission; and secondly, in inventing so detestable a calumny against her, their sovereign and their mistress; and all that can be drawn from it amounts to no more than that it comes from two perfidious men. "And, O good God! (says she) in what a desperate condition is the majesty and safety of princes, if they depend upon the writings and witness of their secretaries, who are subject to all the frailties that other men are subject to! Why did they not bring my secretaries before me to attest it to my face, which I am confident they durst not do? But (continues she) you are noble lawyers and judges to put Babington to death without bringing him before me; to open his mouth by torments to tell a lie, and then to shut it up for ever

Mackenzie's Lives.

A.D. 1586. against the truth. And if my secretaries be alive, why do you not (as I have said) bring them before me?

Trial of
Mary conti-
nued.

“And as to the invading of England, I acknowledge I did require the aid and assistance of foreign princes for restoring me to my liberty; and in this, I think, I did nothing but what nature does suggest to every one. Who is not desirous of liberty that are in thralldom? I am no subject to your queen: I have been these many years her prisoner. The many offers I have made to her have been rejected; my sicknesses have increased on me; and I have been denied aid and assistance in them. And is it such a crime in me as deserves your consideration, to desire to be set at liberty? And lastly, as to the giving over her kingdom to the king of Spain, the very mentioning of it (said she) is a sufficient refutation of it; I had not my poor person at my disposal, much less my kingdom. Besides, it is very well known, that it is not in my power to transfer my kingdom, which is an hereditary kingdom, and of right belongs to my own son after my death.” *

* “And here I must advertise my reader, that as to this last article, that I have an attested copy, under the English commissaries hands, of her letter to Mendoza, wherein she promises to transfer the kingdom to his master, which they pretended to have found, with many other letters, when they seized upon her person and all her papers: all which attested copies of these letters, I had from the right honourable the earl of Balcarras, who found them in his charter-chest, his grandfather being secretary to king James; and at the desire of the said noble earl, I have lodged them in the Lawyer’s Library. Now, I leave it to
the

Notwithstanding this declaration, there is A.D. 1586. strong reason to believe that Mary had, at times, encouraged the king of Spain to believe that she would declare him her heir, and make over to him her right both to the crown of Scotland and England. But whatever opinion his catholic majesty and his counsellors might have of Mary's power to take such a step, she certainly considered it as illegal and ineffectual; and there is no room to doubt that all her offers of that kind were drawn from her to engage his catholic majesty more deeply in her interest. Let me add, that had the charge been true, it was ridiculous to mention it, unless it could have operated to convict Mary of having been engaged in Babington's conspiracy to murder Elizabeth. Mary, however, being farther pressed by Burleigh upon the subject of transferring her crown, acknowledged that a priest, whom she did not name, had talked to her on that head; that she knew the Spaniard thought that, next to herself, he had the best right to the crown of England. She admitted that she had held a correspondence in cyphers with many Roman catholics abroad; and that she had recom-

the reader to judge, if it be any ways probable, that they should find them with her; or if it be more reasonable to believe them than her, who, when they were produced, denied them to be any of her's, and with her dying breath affirmed, that she had never done any thing that was prejudicial either to the kingdom or her son." Mackenzie, vol. iii. p. 346.

A.D. 1586. mended some of her friends to the pope and foreign princes; but she thought herself as justifiable in that, as Elizabeth was in corresponding with protestants.

The lawyers then proceeded to the joint confessions of Nau and Curl, which indeed were the circumstances that bore the hardest upon her; but she again solemnly declared her innocence; and that if she was to be affected by any thing that appeared in the papers produced against her, the matter had been inserted by her secretaries without her knowledge. She then pressed the court that they might be confronted with her; but this fair request, in which the meanest felon would have been indulged, was denied to Mary. She was not even permitted to make use of her own private notes and memorandums, tho' she said that they were absolutely necessary to assist her recollection in making her defence. Her speech seemed to make a deep impression upon her judges, prepossessed and prejudiced as they were against her; which Burleigh observing, he charged her with corresponding with Morgan, who, he said, had sent over Parry to kill Elizabeth, and to whom she had given a pension. Mary answered with the greatest truth and dignity, that Morgan had faithfully served her, and severely suffered for her; that therefore she had allowed him a pension; but that she had been so far from encouraging

couraging him in any attempts against Elizabeth's person, that she had done all she could to divert him from them. The behaviour of Burleigh on this occasion is the more disingenuous and inexcusable, as Morgan's letters to Mary were then in his possession, and have been since printed from his own family archives. Mary then observed, that the English ministers complained, with a very ill grace, of any pension she had allowed to Elizabeth's enemies, since Elizabeth had given Grey, and the Scots about the person of her son, pensions to make them her (Mary's) enemies. Burleigh endeavoured to evade this charge, by pretending that Elizabeth had only granted James a pension to enable him to support his royal dignity, because his revenue had been lately impaired through the mismanagement of his ministers.

Mary's letters to Englefield, Paget, Mendoza, and others, concerning the intended invasion, were next produced; but Mary very properly observed, that they were entirely foreign to her trial, unless they could prove her to be accessory to Babington's assassination-plot. She observed, that she never had denied that, after all the fair advances she had made for obtaining her liberty had been rendered abortive, she had recourse to foreign princes for obtaining her deliverance. She bemoaned the hardships she had undergone, and the indignities

A. D. 1586. ties she then suffered, by being forced to appear as a criminal before a foreign tribunal; by being subjected to hear her royal character stained by the breath of petulant lawyers, whose trade it was to deal in sophistry and defamation; and by her being shut out from all access to her sister's favour, and her undoubted rights of succession. She put them in mind, that she did not even then intend to appear as a common criminal, but as an injured princess; that she did not chuse to plead her cause, but to vindicate her innocence, and the majesty of all crowned heads. She observed, that innocence itself was not safe from the blast of malice; and she touched upon the suspicions into which Elizabeth herself had fallen, on account of Wyat's rebellion in the late reign. She next, with great passion, added, that tho' she was ready to pay her own blood for the happiness of the catholics, yet that she would abhor to purchase it with the life of the meanest subject.

Mary clears
herself upon
her trial.

She next cleared herself from the imputation thrown upon her by her enemies, as if she had been an obstinate enemy to the protestant religion. She put the court in mind that there was a time when she shewed herself open to conviction in favour of the Reformation; but her enemies dreaded this so much, that they would never suffer her to be instructed in the same. She concluded with a most pathetic
appeal

appeal of her innocency to God, and with committing her cause to him and the foreign princes of her kindred. She renewed her protestation, that she did not mean to appear as a criminal; she demanded to have an advocate, who, by his learning, might clear up some points to which she could not speak; and she lamented her fate, that the court had given evident indications of their being prejudiced against her. Upon Burleigh's endeavouring to vindicate the intentions of the commissioners and the lawyers, Mary put him in mind how little credit was due to men influenced by the fear of the rack, or by the hopes of court favour. She again demanded that her secretaries might be brought face to face in court, and that she might have the use of her papers.

Burleigh, to whom Elizabeth chiefly trusted for the management of this irregular and infamous proceeding, flatly refused Mary that favour, by pretending that the charge against her was restricted to what she had done since the nineteenth of June. He insisted upon the confession of her secretaries and Babington, who he said had never been put to the rack; but without saying that he never had been threatened with it. All this while the pretended confessions of Babington and the two secretaries stood unauthenticated by any proof of their being their real confessions, though they

A. D. 1586. they served as the ground-work of all the prosecution against Mary, if we except the letters produced in cypher, which were said, but not proved, to be written by her order, which Mary denied. In short, through the whole proceeding we cannot discern the smallest vestige of a legal trial. Burleigh next assumed the character of a privy-counsellor, and endeavoured to prove that Mary might have been at liberty, had not Morgan, during the last treaty for her freedom, sent over Parry to murder Elizabeth. This allegation against Morgan is extremely improbable; nor can we find the smallest trace of it in the very copious correspondence he had with Mary; but allowing it to be true, was Mary's life to answer for the crimes of another person residing in another kingdom? for no evidence was so much as offered to prove that Morgan acted by her command or desire. Letters from the two Pagets were produced, in order to fix upon her the charge of inviting the Spaniards to invade England; and cardinal Allen in another letter, told her, that her cause had been recommended to the prince of Parma, and called her "his most dread sovereign lady." Mary observed, that none of those letters proved that she was concerned in any plot to murder Elizabeth; and that she was not answerable, though she was a catholic herself, for the imprudences or sentiments of those of that persuasion.

suaſion. She again owned, that, broken as ſhe was by her long and unjuſt confinement, ſhe had not declined the offers of foreign aſſiſtance; and that ſhe had even entered into ſome diſtant treaty, which ſhe ſaid ſhe had always diſliked, for conveying to the king of Spain her own right to the crown of England. Burleigh laid hold of thoſe conceſſions; and demanded of Mary, as if ſhe had been a common felon, whether ſhe had any thing more to urge in her own defence? Mary, upon this, roſe, and demanded, with an air of majeſty, that ſhe ſhould be heard either in a full parliament, or before the queen and her council. No answer was made to this requeſt; and, according to the inſtructions which had been given by Elizabeth, the court was adjourned to the twenty-fifth of October, to ſit in the Star-chamber at Weſtminſter.

All the commiſſioners, excepting the earls of Shrewſbury and Warwick, attended on that day; and Mary not being preſent, her two ſecretaries were brought into court, where they made declarations of whatever her enemies wanted to ſay. This formality being paſſed, a ſentence, under the hands and ſeals of all the commiſſioners preſent, was recorded in the following terms: "By the unanimous aſſents and conſents they do pronounce and deliver this their ſentence and judgment, at the day and place laſt above recited, and ſay, that ſince

A.D. 1586. the conclusion of the aforesaid session of parliament, in the commission aforesaid specified, namely, since the aforesaid first day of June, in the twenty-seventh year aforesaid, and before the date of the said commission, divers matters have been compassed and imagined, within this realm of England, by Anthony Babington and others, with the privity of the said Mary, pretending a title to the crown of this realm of England, tending to the hurt, death, and destruction of the royal person of our said lady the queen. And, also, that since the aforesaid first day of June, in the twenty-seventh year aforesaid, and before the date of the commission aforesaid, the aforesaid Mary, pretending a title to the crown of this realm of England, has compassed and imagined, within this realm of England, divers matters tending to the hurt, death, and destruction of the royal person of our sovereign lady the queen, contrary to the form of the statute in the commission aforesaid specified."

Her sentence is confirmed by parliament.

The commissioners soon after this sentence was passed, published a declaration, importing, that the said sentence did nothing derogate from James, king of Scots, in his title and honour; but that he was in the same place, degree and right, as if the said sentence had never been pronounced. On the twenty-ninth of October a parliament met; and the public of England were deluded into the most dreadful apprehension of the consequences, if the death

death of Mary should be delayed. Elizabeth affected all the horrors of reluctance to sign a dead warrant for her sister-queen and cousin; but she artfully magnified the guilt of which she had been convicted, and the dangers to which she and the nation must be exposed to, should Mary escape. She opened the parliament, by a commission; and her chancellor, Bromley, in consequence of her plan of dissimulation, harangued the house of peers with a long, fulsome, speech in praise of Elizabeth, and acquainting them that the parliament was summoned not for money, but to take the sense of the members concerning the execution of the queen of Scots, now that sentence was pronounced against her. Puckering, one of Mary's most bloody enemies, being chosen speaker of the house of commons, on the ninth of November, the two houses having had previous conferences together, Babington's letters, and Mary's supposed answers, with the sentence against her, were read, and the sentence was approved of both houses. A form of a petition was moved for, and agreed to, in the house of commons, to persuade Elizabeth to put Mary to death; and the same was, with great solemnity, presented to Elizabeth by the committees of both houses. The petition contains nothing but a dull, unsupported, invective, grounded upon the proceedings of the

A. D. 1586. commissioners against Mary ; and the prayer of it was as follows: " We do most humbly beseech your most excellent majesty, that, as well in respect of the continuance of the true religion, now professed amongst us, and of the safety of your most royal person and estate, as in regard of the preservation and defence of us, your most loving, dutiful, and faithful subjects, and the whole commonweal of this realm, it may please your highness to take speedy order, that declaration of the same sentence and judgment be made, and published by proclamation, and that thereupon direction be given for farther proceedings against the said Scottish queen, according to the effect and true meaning of the said statute ; because, upon advised and great consultation, we cannot find, that there is any possible means to provide for your majesty's safety, but by the just and speedy execution of the said queen ; the neglecting whereof may procure the heavy displeasure and punishment of Almighty God, as by sundry severe examples of his great justice in that behalf, left us in the sacred scriptures, doth appear. And if the same be not put in present execution, we, your most loving and dutiful subjects, shall thereby (so far as man's reason can reach) be brought into utter despair of the continuance amongst us of the true religion of Almighty God, and of your majesty's life, and the

the safety of all your faithful subjects, and the good estate of this most flourishing common-
weal."

Mary being informed of the parliament's confirming the sentence of her death, wrote the following moving letter to Elizabeth.

"Madam,

"I give thanks to God with all my heart, who, by the sentence of death, hath been pleased to put an end to the tedious pilgrimage of my life. I desire not that it may be prolonged, having had too long a time to try the bitterness of it. I beseech your majesty, since I am to expect no favour from some zealous ministers of state, who hold the first places in your councils, I may receive from you only, and from no other, these following favours. In the first place, I desire, that since it is allowed me to hope for a burial in England, that I may be decently interred, according to the rites and ceremonies of the catholic church, of which I am a member, and in which faith all your predecessors and mine lived and died; and when my enemies are satisfied with the shedding of my blood, that my servants may be allowed to carry my bones into France, to be there interred, with the bones of the queen my most honoured mother. Secondly, I beseech your majesty, in the apprehension which I have of the tyranny of those to whose power
you

Mary's letter to queen Elizabeth.

A. D. 1586. you abandon me, that I may not suffer in any private place, but in the view of my servants and other people; who may give a testimony of my faith, and of my obedience to the true church, and defend this period of my life, against the false reports which my adversaries may contrive against me. In the third place, I require, that my servants who have attended on me with great fidelity, during so many afflictions, may have free leave to return where they please, and enjoy those small legacies, which in my last will, my poverty hath bequeathed to them. I conjure you, madam, by the blood of Jesus Christ, by the nearness of our consanguinity, by the memory of Henry the seventh our common father, and by the title of a queen, which I carry to my grave, not to deny me those reasonable demands, but by one word under your hand, to grant me an assurance of them, and I shall die as I lived,

Your most affectionate sister,

Mary R."

Elizabeth's
dissimula-
tion.

Elizabeth paid no regard to this moving letter; but heard, with pleasure, a long, loose, frothy, speech, made by Puckering, the speaker of the house of commons, to persuade her to take off Mary's head. This speech has been preserved by Sir Simon D'Ewes; and it would disgrace the page of history to in-
fert

sert it here. Elizabeth, in her answer, acted A. D. 1586. with the most exquisite hypocrisy; for while she seemed to plead for milder measures, she was suggesting the strongest reasons she could invent, to justify the severest. She said, "that though Mary was justly condemned, yet if she would truly repent, and no man would undertake her cause, and if my life alone (continued she) depended hereupon, and not the safety and welfare of all my people, I would, I protest, unfeignedly, willingly, and readily pardon her. Nay, if England might, by my death, obtain a more flourishing condition, and a better prince, I would most gladly lay down my life; for, for your sakes it is, and for my people's, that I desire to live." Elizabeth even proceeded to that pitch of dissimulation, as to pretend, that the act upon which Mary was tried and condemned was made for her benefit, in order to put her upon her guard not to be guilty of any attempt upon her (Elizabeth's) life. She added, "that she had declined to come to that parliament, not through fear of being assassinated, but lest the mention of Mary's practices might increase her trouble; but (continued she, with matchless art,) I will now tell you a farther secret (though it be not usual for me to blab forth in other cases what I know). It is not long

A. D. 1586. long since these eyes of mine saw and read an oath, wherein some were bound to kill me within a month. Hereby I see your danger in my person, which I will be very careful to prevent." She then puts him in mind of their association, intimating, that whatever tenderness she might express, yet that their engagements would not suffer them to stop short of Mary's blood; and concludes with irresolution how to proceed, and a prayer, that God would enlighten her so as to proceed for the best.

This dissimulation answered all the ends that Elizabeth proposed; for when the commons returned to their house, they now more than ever determined upon the execution of Mary. Elizabeth ordered Hatton to signify that she would be glad if any milder measure could be found out to proceed against Mary than taking her life. This passed unanimously in the negative; and a conference was held between the committees of both houses. The lords were far from being so clear as the commons were as to the necessity of Mary's execution, and warm debates passed upon the subject; but the dread of Elizabeth's displeasure over-ruled all other considerations; and when the speaker resumed the chair, it was resolved, without a contradictory note, to petition Elizabeth that Mary should be put to death.

A. D. 1586.

Crofts the comptroller, and Knolles the treasurer of the household, next moved that the house should go to prayers, to implore God that he would put it into Elizabeth's heart to murder Mary, by ordering her head to be cut off; and if I should seem to deviate from the gravity of history, the reader will find in the note an extract of D'Ewe's Journal*, by which it appears that the house were enjoined to use a private form of prayer for the same pious purpose. But still it appears, that, in the conferences, Mary's friends had urged some methods for restraining her from doing any prejudice to Elizabeth; and the commons seemed to be apprehensive, lest, at their next applica-

Mr. Comptroller shewing his full assent and good liking of the said conclusion, touching the prosecution of the said petition only, and of none other course at all, as well in his former delivery thereof upon treaty of the said cause, as now at this present, declared farther, that he thinketh himself to have been in some of his late former speeches in that matter mistaken and misconceived by some of this house, rather of ignorance in them (he thinketh) than of any evil disposition and purpose; and so affirming earnest and devout prayer to God, to incline her majesty's heart to the petition of this house as a thing much importing, he moveth that some apt and special course of prayer to that end might be devised and set down by some of this house, and be not only exercised here in this house every day, but also by all the members of this house elsewhere abroad, and also privately in their chambers and lodgings.

"Mr. Treasurer liking well the motion and good meaning of Mr. Comptroller, touching prayer to be exercised as before, shewed, that fit prayers for that purpose, and extant in print, are already used in this house, and so may also be by the members of the same privately by themselves, and doth willingly with the same to be so executed accordingly." D'Ewe's Journal, p. 404.

A. D. 1586. tion to Elizabeth, she might urge some of those methods. To provide against that, a committee was appointed to draw up answers to them all; and on the twenty-third of November they were repeated in the house by the solicitor-general. "He proved, says the journal, by invincible reasons, that neither by expectation of reformation in the disposition of the Scotch lady, if the queen's majesty should spare her life, nor yet by safer or stronger guarding of her person, nor by her promise upon word or oath, nor by the hostages of other princes, her allies, nor by her banishment, nor by the revocation of the pope's bull, nor yet by the bonds or word of a prince, or of any or all the princes her allies, nor by any other way or means whatsoever, other than by the speedy execution unto death of the said Scottish queen, the safety or continuance of the true religion, of the most royal person of the queen's majesty, and of the peaceable state of this realm, can in any ways be provided for and established." After this speech, Mr. Knivet, a member, offered a writing concerning the queen of Scots, probably in her favour; but the courtiers prevailed on the house not to receive it. In short, the fate of Mary was determined; and both houses attended Elizabeth, to let her know that they could think of no other way to save her and her people from destruction, but by putting

putting Mary to death. Elizabeth's answer, which I think has appeared in none of our historians, was of a piece with the rest of her conduct, and is so remarkable, that I will give it a place here: "If (said she) I should say unto you, that I mean not to grant your petition, by my faith I should say unto you more than, perhaps, I mean. And if I should say unto you, that I mean to grant your petition, I should then tell you more than is fit for you to know. And thus I must deliver you an answer answerless."

A. D. 1586.

James cools
in the af-
fairs of his
mother.

On the second of December the parliament was adjourned to the fifteenth of February, in consequence of a resolution taken by Elizabeth to put Mary to death in the intermediate time; but the proceedings of James in Scotland, as well as of Mary's friends in France, gave her great disquiet. Fontenay, the French agent, was still in Scotland, and seems to have been a sincere, zealous, friend to Mary. He thought, that by resuming the project, to which James had agreed, of associating her with himself in the government, that her life might still be saved. He presented the articles of association to James, who seemed perplexed how to proceed, but with an apparent indifference as to his mother's life or safety. Decency, however, obliged James to dissemble, and to give Fontenay vague undetermined answers to every head of his negotiation, as the reader may per-

A. D. 1586.
Murdén, p.
548.

ceive from the paper which he transmitted to Mary, and which is published. It is curious, but long; and Fontenay himself says that he wrote it contrary to Mary's orders, who had forbidden him to correspond with her any more by letters; fearing, I suppose, they might be intercepted. The matter, notwithstanding, was of such importance, that he ventured to transgress her commands. Though Fontenay disguises the base tergiversation of James in this dispatch; and says, that had the duke of Lenox filled the place of the earl of Arran, James would have acted and spoken in a different manner, yet it is easy to see a bad heart through the whole proceeding; nor can I believe that he was then sincere in his endeavours to save his mother's life.

He sends
new embas-
sadors to
England.

His continuing so infamous a wretch as Archibald Douglas in his employment of resident at the English court, contrary to the sense of all Mary's true friends, sufficiently proves his duplicity. Finding his great nobility exasperated to the last degree at his inactivity, and calling out to be led to the field against the murderers of their queen, he ordered Douglas to remonstrate more peremptorily than ever with Elizabeth. The latter had too good intelligence not to know that James was, in a manner, forced to make use of those appearances; and she put Douglas off with evasive answers, even by his own suggestions. James
finding

finding the necessity of suspending the agency of Douglas, named an insignificant young courtier, one Keith, to join him at the English court. Keith seems to have been in earnest ; and demanded of Elizabeth a respite of Mary's execution ; which being refused, he presented her with a letter from James, which fell little short of a declaration of war, in case she should put his mother to death. Elizabeth treated this letter, as coming from a pensioner, with the utmost indignation ; and she flew out in a passion against Keith, which her courtiers had some difficulty to pacify.

Keith very honestly informed James how ineffectual his application had been ; and James nominated the earl of Bothwell and the master of Gray to be his ambassadors. Bothwell would have willingly accepted of the commission ; but Elizabeth refused to receive him in a public character, on pretence of his having been guilty of some hostilities upon the borders in time of peace. I cannot discover the reason why James did not appoint another nobleman to be his ambassador. Instead of that, he continued the master of Gray, and joined with him Sir Robert Melvil, (brother to the supposed author of the Memoirs) a worthy well-meaning gentleman, but without weight or dignity to execute such a commission. I perceive from the State Papers, that Douglas as well as Keith was still continued resident,

or,

A. D. 1,36. or, as he is called, embassador for James; so that the latter had at this time no fewer than four embassadors at the court of England. Mary gave herself over for lost when she heard of Gray's appointment, but she could have no remedy; and as soon as Elizabeth found that he was employed by James, and that he would deliver to her a mild suppliant letter from his master, she told Keith that she would respite Mary's execution till his arrival. Gray being intrusted with the whole negotiation, (for Melvil's name had been inserted only for form's sake) acted his scene of dissimulation with great address.

Their audience of Elizabeth.

In the first audience Elizabeth treated him and his colleagues with such contempt, that they did not think proper to proceed to business. In his second, he demanded to know of Elizabeth whether Mary was still alive. Elizabeth answered that she was; but with this very remarkable addition, (the meaning of which I shall have occasion to explain) "that she would not promise she should be so for an hour." The embassadors then proposed that James should send some of his chief nobility as hostages, that no attempt should be made to Elizabeth's prejudice by Mary, if her life was spared, or she herself sent into Scotland. Elizabeth deigned to regard this proposal so far, as to repeat it to the earls of Oxford and Leicester, and the lord Effingham; but she urged
to

to them, at the same time, the very reasons A.D. 1586. that had been given by her parliament why Mary's life should not be spared. Gray then proposed that Mary should resign to her son all her right to the crown of England. Elizabeth readily answered that Mary had no right, being incapable of succession. After some other propositions of guarantee for Mary's resignation, Leicester said, that the sum total of Gray's instructions was, that James should be in Mary's place. "Is it so, replied Elizabeth? then I put myself in worse case than before: by God's passion, that were to cut mine own throat. He shall never come in that place, and be party to me. Well, added she, tell your king what I have done for him, to keep the crown on his head since he was born, and that, for my part, I mean to keep the league that is betwixt us, which if he break it shall be a double fault." Elizabeth then flung out of the room; and when Melvil followed her to beg, in the most earnest manner, a respite of Mary's execution for eight days, her answer was, "not for an hour."

Elizabeth's secret intention was to put Mary to death privately, to deliver herself from the odium of signing her sentence. Leicester, who had now returned to England, suggested this expedient to her by recommending an apothecary instead of a hangman to be her executioner. Camden pretends that Walsingham opposed

A. D. 1586. opposed this infernal suggestion; but this is a fresh proof how lame that historian's information was in every thing relating to Mary, as appears by the following letters.

Letter from
the English
secretaries
to murder
Mary.

“ After our hearty commendations, we find, by a speech lately made by her majesty, that she doth note in you both a lack of that care and zeal for her service, that she looketh for at your hands, in that you have not, in all this time, (of yourselves, without other provocation) found out some way to shorten the life of the Scots queen, considering the great peril she is hourly subject to, so long as the said queen should live; wherein, besides a kind of lack of love towards her, she wonders greatly, that you have not that care of your own particular safeties; or rather, the preservation of religion, and the public good and prosperity of your country, that reason and policy commandeth; especially having so good a warrant and ground for the satisfaction of your consciences towards God, and the discharge of your credit and reputation towards the world, as the oath of association, which you have solemnly taken and vowed; especially the matter, wherewith she standeth charged, being so clearly and manifestly proved against her; and therefore, she taketh it most unkindly, that men, professing that love towards her that you do, should, in a kind of sort, for lack of the discharge of your duties, cast the burthen upon her; knowing,

as you do, her indisposition to shed blood, especially of one of that sex and quality, and so near to her in blood as the queen is. These respects, we find, do greatly trouble her majesty, who, we assure you, hath sundry times protested, that if the regard of the danger of her good subjects, and faithful servants, did not more move her than her own peril, she would never be drawn to assent to the shedding of her blood. We thought it meet to acquaint you with these speeches lately passed from her majesty, referring the same to your good judgments; and so we commit you to the protection of the Almighty.

Your most assured friends,

Francis Walsingham, Will. Davison."

The answer was as follows :

" Sir, your letters of yesterday coming to my hands this present day, at five p. m. I would not fail, according to your directions, to return my answer with all possible speed; which I shall deliver unto you with great grief and bitterness of mind, in that I am so unhappy, as living to see this unhappy day, in which I am required, by direction from my most gracious sovereign, to do an act which God and the law forbiddeth. My goods and life are at her majesty's disposition, and I am ready to lose them the next morrow, if it shall please her; acknowledging, that I do hold them as of her mere and most gracious favour; and do not

Paulet's
answer.

A. D. 1536. design to enjoy them, but with her highness's good liking. But God forbid I should make so foul a ship-wreck of my conscience, or leave so great a blot to my poor posterity, and shed blood without law or warrant; trusting, that her majesty, out of her accustomed clemency, and the rather by your good mediation, will take this my answer in good part, as proceeding from one who never will be inferior to any christian subject living, in honour, love, and obedience towards his sovereign: and thus I commit you to the mercy of the Almighty.

Your most assured, poor friend,

A. Paulet."

Elizabeth gives audience to the French ambassador.

I shall not offer to make any comment upon those letters, which afford such striking evidences of the bloody and barbarous disposition of Elizabeth's two secretaries. The court of France, during the recess of parliament, had nominated Pompone de Believre as ambassador extraordinary to Elizabeth; and all that L'Aubespine, the other French ambassador, could obtain from her, was a respite of Mary's execution till she should hear what Believre had to propose. Upon that ambassador's arrival, he addressed Elizabeth in two speeches, which have been transmitted by Du Chesne, a contemporary French historian, which I believe are genuine, and do great honour both to his understanding and his courage. The purport of both speeches was to show, that Mary being an independent

dependent princess, could not be subject to be tried by Elizabeth, and that no parallel of her case could be found in all history. He at the same time shewed how very little applicable to her situation the case of Conradin king of Sicily was, when he was sentenced to death by Charles of Anjou, brother to St. Lewis of France. The speaker of the house of commons had, with equal virulence and ignorance, mentioned that prince's history, as a justification of Elizabeth's proceedings against Mary. Elizabeth heard those speeches with great attention; but instead of answering Believe's reasoning, she endeavoured to prepossess him against Mary, by informing him, that she had made the king of Spain her heir to the crown of England. She added, that as the heavens did not contain two suns, so neither could England contain two queens or two religions: that she had recommended to her parliament to find out some method less severe than Mary's death to secure her own life; but that as no such method had been proposed, execution must be done.

Believe transmitted an account of his audience to his court, and he was instructed to repeat his remonstrances: but all was to no purpose; for Elizabeth answered him by ripping up all the infamous falsehoods that had been invented by Mary's enemies to defame her. She concluded her discourse by observing, that as Mary was in England, and under the protection of

Treachery
of Gray.

A. D. 1537. its laws, it was reasonable she should be tried by them; and being found guilty, it was necessary she should die. After this, Elizabeth thought only of putting the sentence against Mary into execution, and of affecting the greatest reluctance for the part she was obliged to act. She was often discovered in deep reveries, and repeating the words "Aut fer aut feri; ne feriare feri;" which she no doubt borrowed from the jingling wit of those times. Those were only outward appearances; for Gray not only informed her of the timid unsteady disposition of James, but privately gave her additional arguments for putting Mary to death; undertaking, at the risk of his own head, that James should be pacified. Her favourite, Leicester, had even the effrontery to write James a letter to convince him how unreasonable it was for him to interpose in favour of his mother, or to be angry with Elizabeth for putting her to death. Secretary Walsingham in like manner wrote to Maitland, informing him, "that it was wondered by all wise and religious men in England, that the king should be so earnest in the cause of his mother, seeing all the papists in Europe, that affected the change of religion in both realms, did build their hopes altogether upon her; and that she had shewed herself so passionate in point of religion, as she had transferred her pretended right to both the crowns unto the king of Spain, in case her son should persist in his profession."

The letter of the two English secretaries to Paulet sufficiently accounts why Elizabeth said she could not promise that Mary should live for an hour. She was at this time under a noisome restraint, in a damp prison, which added to the infirmities she had contracted by her confinement. Her jailor, Paulet, had not only (as we have already seen) robbed her of her money, but had stripped her of all the few remaining ornaments of regal dignity, which Mary had retained about her person; and he even refused to treat her with common civility, for he generally accosted her with his cap upon his head. In short, no mark of humiliation or disgrace was omitted to mortify the unhappy princess. The sentence of her death was published thro' London with great parade; and lest Elizabeth's resolution should fail, Gray often put her in mind that dead persons do not bite. The lord Buckhurst, and Beal, clerk of the council, were sent to announce to Mary the fatal tidings that she was to die by the hand of an executioner. Mary heard her doom with amazing resolution, and triumphed in the thought that she was to fall a victim for her religion. She requested to have a priest of her own persuasion to prepare her for death; and when that favour was inhumanly denied to her, she observed, that it was no wonder if the English, who had so often put their own kings to death, should thirst for her blood, which they had transmitted to her.

No-

A. D. 1587.

Mary's
doom an-
nounced to
her.

A. D. 1587.

False alarms
spread in
England.

Nothing was now wanting to the catastrophe of Mary's execution, but to impress the people of England with notions of their danger, if her life should be spared. A fresh lie was invented and circulated every hour. Sometimes it was rumoured that the Scots had broken into England with fire and sword; sometimes that the duke of Guise had landed in Suffex with an army of French; that the Spaniards had taken possession of Milford Haven; and that the Roman catholics in the north of England were in arms. A plot to assassinate Elizabeth was not wanting on the occasion. L'Aubespine the French ambassador, and his secretary Du Trappes, were accused by one Mr. Stafford, a young gentleman, brother to the English ambassador in France, of tampering with him and a ruffian, one Moody, for murdering Elizabeth. Du Trappes was apprehended, and examined before a committee of the council. L'Aubespine appeared before the same committee, but not in custody; and he was told that Stafford, Moody, and Du Trappes, had confessed the conspiracy. This made no impression upon L'Aubespine, who not only denied the charge, but when he was confronted with Stafford, declared that he had been at great pains to dissuade the latter from murdering Elizabeth; and that had it not been for the regard he bore to his family, he would have delivered him up bound hand and foot to her justice. As to Moody, his examination tended

tended to confirm what L'Aubespine had said, and to lay the blame upon Stafford; nor was Moody produced to confront either the one or the other. Upon the whole, the charge was ridiculous; for Moody, who was to have been the assassin, was, during the whole time, a close prisoner in Newgate. Burleigh observed, that L'Aubespine, by his own confession, was guilty of concealing Stafford's intended treason; but the ambassador maintained that he was bound to disclose it to none but his own master; and insisted, in very high terms, upon the privileges due to his character. I find no farther charge brought against him; but the alledged plot, false and frivolous as it was, answered all the purposes of the inventors, by alarming the public with farther apprehensions of Elizabeth's danger; and nothing was now heard of from the pulpit, and in all public assemblies, but reasons drawn and tortured from sacred and profane history, why Mary ought to die.

Elizabeth was still willing that Mary should be privately murdered. She called Paulet "a dainty precise fellow, who promised every thing, but performed nothing," for declining the infernal office; and in a private conference she had with Davison, she proposed one Wingfield to execute the murder. Davison objected to the danger, as well as the infamy, that must attend such a proceeding; and Elizabeth

Her dead
warrant
signed.

A.D. 1537. beth gave him an order for drawing up a warrant, which she was to sign, for Mary's execution. After she had signed it, she had the inhumanity to jest with Davison when she delivered it. "Go, said she, and tell Walsingham what I have done; though I am afraid, poor soul, he will die with grief when he hears it." The warrant passed the seals that very night, Elizabeth having given orders that her privy-counsellors should take care of the execution without giving her farther trouble. The warrant being produced to the privy-council, Beal was ordered to provide proper executioners, and the earls of Kent, Shrewsbury, Derby, and Cumberland, were appointed to see the execution performed, assisted by Andrews the high-sheriff of the county; but I perceive the two former earls only attended.

She prepares
for her
execution.

On the evening of the sixth of February, or as some say the seventh, the two earls, attended by Mary's two keepers, acquainted her that she was to die on the eighth, in consequence of the warrant for her execution, which they read in her hearing. Mary behaved with her usual calmness and chearful resignation, without the least emotion in her looks, words, or gestures. She confessed that she did not think of dying so soon; but she said "that death was welcome to her, since her majesty would have it so; and that soul is unworthy of the fruition of the joys of heaven for ever,
whose

whose body in this world would not be content to endure the stroke of the executioner for a moment." She desired that her confessor should be allowed access to her to confer with her about the state of her soul; but this request was again barbarously denied her. "No, no, madam, (replied the earl of Kent) you must die, you must die, and we cannot grant longer delay, nor your confessor; but we shall send you the dean of Peterborough. Your life is the death of our religion, and your death will be its life." Mary then demanded to consult with her steward, Melvil, about her worldly affairs, and that favour seems to have been granted. Before the earls departed, laying her hand upon a bible, which was near her, she solemnly declared, crossing herself in the name of the Father, the Son, and the Holy Ghost, that she was innocent, notwithstanding all the confessions said to have been made by Nau and Curl, of all concern in Babington's conspiracy to murder Elizabeth.

Mary having rejected the offer made her of being attended in her last moments by the dean of Peterborough, the two earls left her; and after a sparing supper, with her usual composure, she called for a glass of wine, and drank to her attendants, who were dissolved in tears round her person, ordering each of them to pledge her; which they did on their knees, while she gave them all the consolation

A. D. 1587. that it was in her power to administer. She next read over her testament, with the inventory of her goods and moveables, and wrote on them the names of those to whom she appointed them; and the gold and silver * that she had, she put in different purses, according to the number of her servants, and according to their merits and qualities, and distributed it amongst them. Then she called for pen, ink, and paper, and wrote to her son, the king of France, the Guises, and a letter to her confessor, to pray to God for her. She observed to her attendants, that by what fell from the earl of Kent, it appeared that she died for religion, and not for the treason for which she had been condemned. She then retired to rest; and after sleeping soundly for some hours, she betook herself to her devotions, still exhorting her servants to patience and resignation, after her first devotions were finished, and while they were dressing her for the fatal solemnity.

Her dress
and behavi-
our.

Between eight and nine in the morning the high sheriff found her at her prayers, when he announced to her that her hour was come. As the smallest circumstance relating to Mary on this mournful occasion must be interesting to every reader of sensibility, I shall here insert a nar-

* Her being now possessed of money might have been owing to part of that which had been taken from her being restored; or (which is more probable) she might have received a fresh supply from the French ambassador, who I perceive had a large sum belonging to her in his hands, at the time she was robbed by Paulet-

rative

rative of her dress and behaviour, which was drawn up by Burleigh's orders, and agrees almost exactly with the other accounts that have come to our hands. " She appeared (says the writer) on the day appointed ; being tall of body, corpulent, round-shouldered ; her face fat and broad, double-chin'd and hazle-eyed, her borrowed hair brown. Her attire was ; she had on her head a dressing of lawn, edged with bonlace, a pomander chain, and an Agnus Dei about her neck ; a crucifix in her hand, and a pair of beads at her girdle, with a golden cross at the end of them ; a veil of lawn fastened to her caul, bowed out with wire, and edged round about with bonlace ; her gown was of black fattin printed, with a train, and long sleeves to the ground, set with acorn buttons of jett, trimmed with pearl, and short sleeves of black cut fattin, with a pair of sleeves of purple-velvet, whole ; under them her kirtle, whole, of figured black fattin ; her petticoat, upper-body unlaced in the back, of crimson fattin, and her petticoat-skirts of crimson velvet ; her shoes of Spanish leather, with the rough side outwards, a pair of green filk garters ; her nether stockings worsted coloured, watched and clack'd with silver, and edged on the top with silver ; and next her leg a pair of Jersey hose white. Thus attired, she went chearfully to the place of execution, being gently supported by two of Sir

A. D. 1587. Amias Paulet's chief gentlemen; Mr. Andrews the high sheriff going before her. She was met at the Great Hall by the two earls and all the rest."

Mackenzie's Lives.

Mary's speeches in approaching the scaffold.

Such was the habit of Mary as described by an eye-witness; but it is impossible to do justice to the serenity and magnanimity of her behaviour. When she came to the porch of the hall where the scaffold, on which she was to die, was erected, her faithful servant Melvil, for whom she had a particular regard, threw himself at her feet in tears, and uttered the most passionate expressions of sorrow and heaviness. When he could not proceed for weeping, "My good servant, (says Mary, I use her own words as near as they can be recollected) cease to lament; for thou hast cause rather to rejoice than mourn; for now thou shalt see Mary Stuart's troubles receive their long expected end; for know, my good servant, that all the world is but vanity, and subject still to more sorrow than an ocean of tears can bewail: but I pray thee, carry this message from me, that I do die a true woman to my religion, and like a woman of Scotland and France. But God forgive them that have long desired my life, and thirsted for my blood, as the hart doth for the water-brooks. O God! thou who art the author of truth, and truth itself, knows the inward chamber of my thoughts, how that I was ever willing that
Scotland

Scotland and England should be united together. Hitherto, continued she to Melvil, thou hast served me faithfully; and howbeit I take thee to be in religion a protestant, and I myself am a catholic, yet seeing there is but one Christ, I charge thee, upon thine account to him, that thou carry these my last words to my son, and shew that I pray him to serve God, to defend the catholic church, and govern his kingdom in peace, and never to put himself in the power of another, as I have done. Certify him, that I have done nothing prejudicial to the crown of Scotland,* and will him to keep friendship with the queen of England; and serve thou him faithfully."

A.D. 1587.

Upon the mention of her son she dropt some tears; and bidding Melvil, to whom she stretched forth her hand, a tender adieu, she addressed herself to the two earls, desiring that Sir Amias Paulet might pay out of her money a sum which he knew she owed to Curl; a request the more generous, as she had no reason to be satisfied with Curl's behaviour. She "next desired that her attendants might have, and enjoy with quietness, what she had given them by her will and testament; that they might be favourably treated, and sent safely to their respective countries; and lastly, that her poor servants might be permitted to be present at her

Her request.

* This is not in the MSS sent to Burleigh, but both Spottwood and Camden have it.

death;

A. D. 1587. death ; that their eyes might behold, and their hearts be witnesses, how patiently their queen and mistress should endure her execution, that thereby they might be able to make a relation, when they came to their own countries, how she died a true constant catholic to her religion."

Ibid. The earl of Kent strongly opposed granting her requests, particularly with regard to her servants. He told her, " that if that were granted, either by their speeches or practice, they might do things that were not fitting for them to allow, if it were no more than the superstitious trumpery of dipping their handkerchiefs in her blood." To which she replied : " My lord, I will give my word (although it be but dead) that they shall not deserve any blame in any of the actions you have named ; but alas ! poor souls, it would do them good to bid their mistress farewell : and I hope your mistress, being a maiden-queen, will vouchsafe in regard of womanhood, that I should have some of my own people about me at my death : and I know her majesty hath not given you any such strict command, but that you might grant me a request of a far greater courtesy than this, though I were a woman of a far meaner station than the queen of Scotland is." And perceiving that she was not like to obtain it, she burst forth in tears, saying, " I am cousin to your queen, and descended from your blood royal Henry the seventh, and a married queen of France, and an anointed queen of Scotland."

A. D. 1587.
Particulars
of her execution.

After some consultation, the lords agreed that Mary might name some of her servants to attend her on the scaffold, and to take care of her body. She pitched upon her steward Melvil, her own physician, her surgeon, her apothecary, and another old man, and two ladies who used always to lie with her in the same chamber. She then entered the great hall; her train was born by Melvil, and she was preceded by the two earls, the sheriff, the knights and gentlemen present. The scaffold was about two feet high, and twelve broad, surrounded with rails, and covered with black. She mounted it with unparalleled serenity of countenance, and placed herself in a low chair, while Beal read aloud Elizabeth's warrant for the execution. She heard it without attention or emotion, but still retained the serenity of her countenance. The dean of Peterborough then being placed without the rails of the scaffold, and standing directly before her, made a humble reverence to her, and began in a long discourse to prepare her for death, exhorting her, among other things, to change her religion. To this she answered, "Mr. dean, do not trouble yourself for me; for know that I am settled in the ancient catholic and Roman faith, in defence of which, by God's grace, I mean to spend my blood." Notwithstanding this check, the lords ordered the dean to proceed; but Mary again interrupted him, and when he began to pray for

A. D. 1587. for her in English, she prayed aloud in Latin. When the dean, tired out with her resolution, desisted from praying, she kneeled and prayed in English for the church, Elizabeth, and her son. Then holding up the crucifix, which she had in her hand, she said, "That she hoped to be saved in, and by the blood of Jesus Christ, at the foot of whose crucifix she would shed her blood." After prayer, she kissed the crucifix; and signing herself with the cross, she said, "Even as thy arms, Jesus Christ, was spread upon the cross, so receive me, I beseech thee, in the arms of thy mercy, and forgive me all my sins."

Perceiving her maids still shedding tears, and exclaiming in all the anguish of affection, she again exhorted them to desist, saying, that she had passed her word for them; and after signing them with the cross, she tenderly embraced them, and with a smile bade them farewell. While they were undressing her to prepare her for the block, the two executioners offered their assistance; but Mary commanded them to stand off, saying to the spectators, "That it was a new spectacle to behold a queen brought to die upon a scaffold; and that she used not to be undressed before so great a company, and to have two hangmen to attend her for her grooms of the bed-chamber: but (says she) we must submit to what Heaven is pleased to have done, and obey the decrees of the divine Providence."

Her

Her gown and doublet being taken off, she tied A.D. 1587. a linnen handkerchief round her eyes ; then laying her head upon the block, she rehearsed aloud the thirty-first psalm ; and, stretching out her arms, she repeated the fifth verse, which being the signal appointed for the executioner, he clumsily struck off her head at three strokes. Her head struck off. Its upper attire being discomposed, discovered her hair to be quite grey ; and the executioner taking it up, called out aloud, “ Long live queen Elizabeth, and so let the enemies of the gospel perish ! ” which words were re-echoed by the dean of Peterborough and the two earls, the rest of the spectators being dissolved in tears.

No circumstance of brutality was wanting to this execution. The denying Mary a priest of her own religion ; the barbarous behaviour of the noblemen ; and above all, the interruption of the dean in her last moments, sufficiently indicate the rancour of her enemies ; nor can we think that they would have ventured to gone through so many scenes of wanton cruelty, had they not been privately instructed by Elizabeth. To crown the whole of their inhumanity, one of the executioners was holding both her hands, while the other was cutting off her head.

I have in the foregoing part of this work been so full in clearing this illustrious lady from the aspersions of her enemies, that I shall be very general in the farther observations I am to

A. D. 1587. make on her character ; nor can I add much to what I have already said on that head. She was murdered in the forty-sixth year of her age, and the eighteenth of her captivity ; and tho' queen of Scotland by birth, and of France by marriage, nature and fortune seemed to vie in her person ; the one to render her accomplished, and the other miserable. It was her peculiar misfortune that all the advantages she ought to have derived from her birth, education, rank, and beauty, operated immediately to her destruction. In her cradle she was an exile ; she was educated in the bosom of adulation, and in the politest, though the most wicked, court then in the world, which made her perhaps sometimes impatient under the mortifications she received in her native country. No princess was ever more unhappy in wedlock than Mary. When young, she was married to a boy of an unsound constitution and mean capacity. When grown more capable of the tender passions, she fell in love with the beautiful form of a profligate ungrateful youth, whom she took to her bed, by which her person contracted diseases, and her dignity was exposed to ruin. She has, I know, been blamed for her sudden attachment to Darnley ; but it was an attachment rather unfortunate than imprudent ; for had he been possessed of half her virtues and accomplishments, they might have reigned in peace, if not splendor, considering the state of parties in England, which

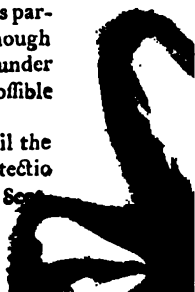
which would have rendered it very dangerous for Elizabeth to have lived at variance with the two next heirs to her crown. Her third marriage was still more fatal and reprehensible, and may be said to have drawn upon her all her miseries. I have, I hope, candidly admitted such charges as had been brought against her on that account, and represented the artful delusions that were made use of to betray her into that detestable match, so as to place it in a more favourable light.

I have been at great pains to evince, from the principles of historical credibility, the forgery of the letters pretended to have been written from her to Bothwell; but I have hitherto not mentioned the grammatical discoveries made by Mr. Goodall, and improved by the accurate author of the Inquiry. The reader in the notes * will find the substance of those

Farther account of the silver-box letters.

* "As to the letters, they are asserted to be forged; and that it was notoriously known, that persons about the queen had often been in the practice of forging letters in her name; that they had neither date, address, seal, nor subscription; that as what was said to be the originals, had only been collected by the queen's accusers, there was no proof that they were of her hand-writing. The person (says the bishop) who was surmised to be the bearer, (Nicholas Hubert, or French Paris) "at the time of his execution took it upon his death, as he should answer before God, that he never carried any such letter, nor that the queen was participant, nor of council in the cause." We see then, that though the queen was denied a sight of the original letters, yet, under that disadvantage, she made as good an answer as it was possible for an innocent person in her circumstances to have done.

"There is no mention made of the letters after this, until the year 1571, when Buchanan published his libel, intitled, 'Detectio Maris Reginae,' which at the same time was published in the Scots



A. D. 1587. discoveries, which unanswerably proves that the Scotch copies of those letters are the true

tish dialect. Secretary Cecil immediately took care to have it printed in England that same year 1571. The Latin copy had affixed to it the first three letters of Mary, translated by Buchanan into that language; and the Scottish copy contained eight letters and the love verses.

"In the beginning of the year 1572, at the time of the duke of Norfolk's trial, a French translation of Buchanan's '*Detectio*' was printed at London, to which were subjoined seven of these French letters, and the love sonnets in verse. The title-page bears, that it was printed "*à Edinbourg le 13 de Fevrie 1572, par Thomas Waltam.*" But there never was a printer in Scotland of that name.

"The original letters themselves with the silver-box, delivered back to Morton, being long ago lost, this French copy of the *Detectio*, with seven of the French letters annexed to it, and the love sonnet in rhyme, has now for these two hundred years, been looked upon by all parties as true copies of the originals, and underwent several editions as such.

"The late learned Mr. Walter Goodall, keeper of the Advocates Library at Edinburgh, who had made it his study to collect materials for the history of those times, a few years ago published a critical examination of the letters. By comparing the three different copies of them together, he has with great acuteness shewn that these pretended letters, said to be written in French by queen Mary to the earl of Bothwell, must be spurious. His arguments may be reduced to this short proposition.

"The letters said to be written in French by the queen as now extant, have, by all parties, been held for true copies of the original produced by Morton, and have, down to this time, passed uncontested as such.

"Buchanan, the confidant of Murray and Morton, who attended them both at York and London, had the letters in his custody, and was so much master of their contents, that he was employed by Murray to show and explain them to the English commissioners at York, and translated the three first of them into Latin.

"If then it can be shown, that, in place of the French being the originals, the Scotch copies are the true originals, and that the French are apparently translations from Buchanan's Latin, the conclusion fairly follows, that those French pretended originals are spurious. This Mr. Goodall has done.

"By comparing the letters, as they stand in the three different lan-

originals; and that the French copies, which A. D. 1587. were exhibited by Mary's enemies, were translated from the Latin of Buchanan. I must however refer to the Inquiry itself for the full elucidation of this important discovery, the force of which seems now to be admitted upon all hands. This being the case, we can no longer wonder at the part which Elizabeth acted in not suffering Mary or her friends to have a sight of those pretended originals, and of debarring all access to them to any but her own creatures, who were resolved upon Mary's death. Dr. Robertson has published, from the papers of Sir Robert Bowes, the particulars of a negotiation between that ambassador and the earl of Gowry, two years before the latter was beheaded, about delivering up the silver-box and its contents to Elizabeth (which he believed were in Gowry's custody). Whoever narrowly examines the contents of Bowes's dispatches, will easily perceive by Gowry's evasive answers, that he had not the box and letters in his own possession; but I am inclined to think he knew where they were deposited, and that his revealing

languages, he has, to a demonstration, shown, that in place of the Scotch and Latin being translated from the French originals, these last are palpably a version from the Latin; and the Latin, again, a version from the Scotch. The Scotch is apparently original: the thoughts therein are naturally and sententiously turned, and it abounds in phrases and proverbs peculiar to that language. These are servilely expressed in the Latin, and sometimes erroneously: and as often as that happens, the French always follows these errors of the Latin." See Inquiry, p. 55, 56, 57, 58.

that

A. D. 1587. that secret was the great service which he proposed to perform for James and his mother, in the letter he wrote him four or five days before his death; for in the postscript of that letter he says, "The matter I have to speak is not the concealing of treason, but the revealing of a benefit;" and no man was more likely than Gowry, to know the whole mystery of the forgery.

Whether Mary had a fourth husband in the person of the duke of Norfolk has been doubted, but I am inclined to believe the affirmative; and some passages in Morgan's letters to Mary make it probable. In the postscript to the copy of a letter which Morgan sent for Mary to transcribe, and to convey to the countess of Arundel, wife to the duke's eldest son, he tells her that the earl might be called her cousin. "But perhaps (continues Morgan) there has passed between your majesty and his father some other occasions to term the said earl in another sort."

Descriptions
of Mary's
person, her
virtues and
imperfec-
tions.

We know no picture of Mary extant, while she was in the perfection of her beauty, that we can depend on as an original. Some are certainly extant, which were drawn when her charms were impaired by years, and her health impaired by infirmities; but they exhibit no striking appearances of that beauty for which she was renowned all over Europe. There was an undoubted original picture of her be-
fore

fore she left France ; but, perhaps, it perished during the civil commotions of that kingdom. From the accounts given by those who knew her person, she was of a graceful size, above the middle stature. Her air and manner of speaking were irresistibly captivating ; and for some years after she came to England, she did not disdain to improve her beauty by the elegance of dress, and other embellishments, which she had learned in the court of France *. Her hair and complexion were a light auburn, which became towards her thirty-sixth year black ; but she had sets of false hair of several colours. I have already mentioned her genius for poetry, and her proficiency in the learned languages. The natural sprightliness of her temper supported her long under afflictions that must have crushed any other woman. They seem, at last, however, to have got the better of her natural disposition ; for she wrote some letters of reproach to Elizabeth which were incompatible with the dignity of both ; and perhaps it did not a little contribute to her deplorable fate.

Murden,
p. 558.

Mary was considered by her contemporaries, and even her enemies, as the standard of all

* Mary was particularly curious in the fineness and fashion of her linnen, and she received the whole of it from France. Elizabeth understanding this, ordered the boxes which contained it to be privately brought to her room, where she carefully examined every piece under pretence of searching for letters concealed in the plaits or folds.



A.D. 1587. feminine accomplishments, with exquisite harmony of shape, and dignity of mien. Her limbs were turned with a precision and beauty that the greatest Grecian statuaries might have made their models. Few or none of her sex equalled her in music or dancing; and some specimens of her embroidery are still extant, which discover an uncommon taste for designing and drawing.

While she sat on the throne of Scotland, her most violent enemies could not impeach her justice, her generosity, her constancy, her friendship, and her magnanimity under adversity. I have given many striking instances of her docility and moderation in matters of religion; and she was, perhaps, the most tractable Roman catholic princess that we meet with in history, though at the same time she died for that religion. She affected to resemble her father in her horsemanship, and her application to the sports of the field; nor was she a stranger to the duties of a camp. Of all her perfections, the secrecy with which she conducted the measures she had formed for her deliverance, is not the least commendable. If she was betrayed, it was through the credulity, and sometimes treachery, of her correspondents, as I have had more than once occasion to observe. Though many suffered death, tortures, and imprisonment upon her account, yet none of her real friends were dis-

discouraged in her service, or in prosecuting what they had undertaken for her deliverance. A.D. 1587.

After all, I am far from representing Mary as a faultless character. Her conceptions were too quick for suffering her sufficiently to examine the abilities and honesty of those she trusted and employed; and hence it was, that she was so often betrayed both in Scotland and in England. She was too fond of the French manners, which were disagreeable to such of the reformers as were her best friends. This pardonable failing, though she did not carry it to excess, was so visible in her conduct, that even the regent earl of Murray thought proper to wink at it for some time; and her other natural brother, who seems to have been a shallow effeminate courtier, with the earl of Bothwell, and a train of their worthless attendants, recommended themselves to her favour, by encouraging this foible. When occasion presented, Mary could dissimble to an exquisite degree; but I do not find that she ever suffered herself to be reduced to act the mean part, which Elizabeth often did in that low, but sometimes necessary, art of government. She was formed by nature to bear adversity better than prosperity; and she retained the notions of respect that was due to her birth and rank to her last hour.

A.D. 1587.

Diffimula-
tion of Eli-
zabeth.

After Mary's execution none of her servants were allowed to approach her body, which was removed to an adjoining room, where it lay for some days covered with a coarse cloth, which had once belonged to a billiard table; but the scaffold, the frocks of the executioners, the block, and every thing that was stained with her blood, were burnt. When the news of her execution came to Elizabeth's ears, she affected the most dreadful agonies of grief and surprize, pretending that it had been performed against her will, and without her knowledge. As a proof of her sincerity, she ordered that the body should receive a royal funeral in the cathedral church of Peterborough, which was performed on the first of August, the preparations being very splendid and costly. Her next care was to allay the resentment of James, in case he should entertain any thoughts of revenging his mother's death. She pitched upon her kinsman Cary, one of lord Hunfdon's sons, who had been a sort of a favourite with James, to carry him the tidings, and to present him with a letter written with her own hand, which the reader will find in the notes *, and which, considering the occa-

* " My dear brother,

" I would you knew, though not felt, the extreme colour that over-whelmeth my mind, for that miserable accident which, far contrary to my meaning, hath befallen. I have sent this kinsman of mine, whom ere now it hath pleased you to favour, to instruct you truly of that which is too irksome for my pen to tell you; I beseech you, that as God, and many more know how innocent

sion, is one of the best compositions of her pen I have seen. Cary was, at the same time, charged with a declaration, which he was to deliver to the council of Scotland, in case, as afterwards happened, he should be denied access to James. It is drawn up with great art, and the reader will find it likewise in the notes *. It is now necessary to return to Scotland.

innocent I am in this case, so will you believe me, that if I had done it, I would have abode by it: I am not so base minded, that the fear of any living creature should make me afraid to do what is just, or done, to deny the same; I am not so degenerate, nor carry so vile a mind; but as not to disguise, fits most a king, so will I never dissemble my actions, but cause them to shew as I mean them. This assure yourself from me, that as I know it was deserved, if I had meant it, I would never lay it on another's shoulders; and to impute to myself that which I did not so much as think of, I will not. The circumstances you will be pleased to hear of this bearer; and for my part, think you have not in the world a more loving kinswoman, and more dear friend, nor any that will watch more carefully to preserve you and your state. And if any would otherwise persuade you, think they bear more good will to others than to you. Thus, in haste, I leave to trouble you, beseeching God to send you a long reign.

"Your most assured loving-sister and cousin,

"Elizabeth Regina."

See Spotfwood.

* "Whereas the queen's majesty, my mistress, desiring to have your majesty certified aright of the death of the queen your mother, and in what sort the same was done, hath commanded me, since I am denied your presence, to declare my message to certain of your council, I have thought best to put it in writing, because words may be mistaken, and my charge this way be better performed.

"First, She commanded me to assure your majesty, that it never entered into her thought to put the queen your mother to death, notwithstanding the daily persuasions of her council, the supplications of the nobility, knights, and gentlemen, and the hourly outcries of her poor people and commonalty, wherewith

A. D. 1587.

Disloyal behaviour of the Scotch clergy.

The Scots were never better disposed for a war with England than they had been during the preceding three or four years; and Elizabeth had warded it off only by the arts of corruption, and her address in balancing parties in the councils of James. His mother's friends were now become so powerful, and those of Elizabeth so detestable, that James was constrained (for he never seems to have been in earnest) to appear determined to declare war, if his mother was not set at liberty. When the news of her condemnation arrived in Scotland, he ordered the ministers, in their public prayers, to pray for her in the following form: "The lord illuminate and enlighten

she was wearied, and out of measure grieved to see their determination fixed that way. And that upon advertisements coming every day unto her, of the preparation of ships and men both in France and Spain to invade her realm, and reports of the breaking open Fotheringay castle, and the queen your mother's escape; lest she should, in any such extremity, be unprovided, she had signed a warrant to her council, for doing what they thought best with your mother; which warrant she delivered to her secretary Mr. Davison, to be kept, not intending it should be given out of his hands, except some invasion from abroad, or insurrection of the rebels at home, were made to procure her liberty. But her secretary, otherwise than she had purposed, having shewed the warrant to two or three of the council, they called the whole number together, and presently sent a mandate for her execution; which was done, she protests to God, before she knew of it. Hereupon the secretary is committed, and will not escape her high displeasure. This is the effect of my message; which if I could express so lively as I did hear her utter it, with a heavy heart and sorrowful countenance, I think your majesty would rather pity the grief which she endureth, than in any sort blame her for the fact whereunto she never gave consent." Ibid.

her

her spirit, that she may attain to the knowledge of his truth, for the safety of soul and body, and preserve her from the present peril."

A few of the clergy complied with this order; but the majority, among whom were the ministers of Edinburgh, refused. James having appointed a solemn fast to be celebrated for his mother's deliverance, ordered the archbishop of St. Andrew's to preach before himself in the High-church of Edinburgh; but when James went to assist at the solemnity, he found the pulpit possessed by a young probationer, one Cowper. James called out to him to stop, because the pulpit had been destined for another, unless he would obey the orders relating to his mother. Cowper knocking the pulpit with his fist, said he would do as the spirit of God should direct him; and the captain of the guard preparing to pull him from his place, he left it, with the following exclamation addressed to James: "This day shall bear witness against you in the day of the Lord. Woe be to thee, O Edinburgh! for the last of thy plagues shall be the worst." The archbishop then mounted the pulpit, and made an excellent sermon suitable to the occasion. Cowper was for this offence committed prisoner to Blackness castle, and two of his most forward abettors were discharged from preaching during his majesty's pleasure; but they were replaced on expressing their sorrow for what they had done.

A. D. 1587.

James re-
fuses to see
the English
embassador.

Moyles.

Three of the Scotch embassadors in England returned to Edinburgh the very day before Mary's execution, and reported the bad success of their commission; and that an English embassador was to follow them. James, even in this affecting crisis, could not conceal his levity; for though, on the fifteenth, he received an information from Kerr, one of the wardens of the borders, that his mother had been executed, yet he disbelieved it, and went to his usual diversion of hunting. Cary was by this time arrived at Berwick, from whence he sent to Edinburgh a messenger, demanding, as usual, a passport for proceeding on his journey. Young, the same who had been one of the preceptors to James, was then under-secretary of state, and he was dispatched to Berwick, to demand of Cary, whether Mary had been executed or not; and if she was, to inform him he must proceed on his peril. Cary answering in the affirmative, Young returned to James, who shut himself up in Dalkeith castle, with all the symptoms of grief and sorrow, which were, however, but short-lived; for, a few days after, he consented that Cary should be admitted to an audience of certain members of his privy-council. Sir James Hume of Coldingknows, governor of the castle of Edinburgh, and Sir Robert Melvil, were accordingly appointed to confer with him at Foulden, a village within two miles of Berwick,

wick,



wick. In this conference, Cary demanded that the league of amity between the two realms, should be inviolably observed. He said, that his mistress was grieved at the death of Mary, which had happened without her consent; and in Elizabeth's name, offered any satisfaction that James could demand. The Scotch commissioners treated Cary's speech and proposal with a becoming disdain. They observed, that they amounted to no more than to know whether James was disposed to sell his mother's blood; adding, that the Scotch nobility and people were determined to revenge it, and to interest in their quarrel the other princes of Europe. Cary, upon this, delivered to the commissioners the letter from Elizabeth and his own declaration; nor do I find that he proceeded farther in his journey.

When the report of the commissioners, with the contents of the letter and declaration, were made public, the nation seemed to be so unanimous in calling for revenge, that it was difficult to find any remnant of those who had thrown Mary into prison, defeated her in the field, driven her into exile, and brought her to the block. This spirit obliged James to persevere in his appearance of resolution for revenge, and the juncture was favourable. Elizabeth was then in a state of war with Spain, the most formidable power in Europe. The death of Mary had spread a general indignation among
other

Elizabeth's
real dis-
quiet.

A. D. 1587.

A.D. 1587. other princes, and even the public of England began to commiserate her fate. James was on an excellent footing with the northern princes, and had as good as concluded his marriage with the king of Denmark's daughter. Above all, the immense equipment of the fleet, afterwards known by the name of the Spanish Armada, for the invasion of England, threatened inevitable ruin to Elizabeth, if the Scots should give a diversion to her forces in the north. All those considerations now gave her real disquiet. She drove even Burleigh from her presence, on account of the distinguished part he had acted on Mary's trial; and she issued orders that Davison should be tried in the star-chamber for a misdemeanor, in suffering the warrant for Mary's death to go out of his hands. Though Walsingham was at least equally guilty with Burleigh in that affair, yet he had made Davison his tool during the whole tragical transaction, by pretending to be indisposed.

Substance
of Walsingham's letter
to Thirlston.

That statesman being now recovered, was ordered by Elizabeth to digest all the arguments founded either in justice or policy, that could serve to dissuade James from revenging his mother's death. This he did in a letter addressed to Maitland, lord Thirlston, who then acted as first minister to James, and who was suspected by some of Mary's friends not to have been sufficiently active in preventing her fate. The letter itself is long and laboured; but contains

tains much good sense, and was well calculated to operate upon such a disposition as was that of James. As it has been often published, I shall only here give the substance of it. It begins with the necessity of putting Mary to death, and the folly of James in taking arms to revenge it. Walsingham then shews how disproportioned the force of Scotland was to that of England, when now united with Holland and Zealand; and with a boast, perhaps, more political than well grounded, he says, England, with such an assistance, would be a match for all the naval force in Europe. He shews, that the king of France was too much harraressed in his own kingdoms to give him any effectual assistance; and that the king of Spain, claiming the crown of England by Mary's donation, would only seek to gratify his own ambition. He desires James to consider on what a desperate footing his succession to the crown of England would stand, should he plunge the two nations into blood, to revenge a measure which had been in a manner forced upon the queen by the unanimous voice of her parliament and her people; and he mentions the cases of the king of Navarre's grandfather, Christiern king of Denmark, and Antonio king of Portugal, who had been all of them stript of their dominions, notwithstanding their powerful alliances, to deter James from trusting to foreign assistance. He proves, that the Roman catholic party in Eng-

A. D. 1587. land were so divided amongst themselves, that James could receive little help from them, even supposing him ill enough advised to change his religion for popery, and that they would not trust his sincerity. Walsingham then proceeds to shew, that James had already discharged all the duty towards his mother and his own reputation, that could be expected from an affectionate son and a wise king; that his interceding for her with a concern so becoming nature, had endeared him to the kingdom of England, but that it would be madness to push his resentment farther.

James' reconciled to Elizabeth.

This letter had all the effect which Elizabeth or its writer could desire. Her secret friends laid before James the precarious dependence he must have upon the Roman catholic powers abroad; and that notwithstanding the pompous speeches of Believre in favour of his mother, he was secretly instructed by Henry the third, from the deep hatred which that prince bore to the house of Guise, to solicit Mary's death instead of her deliverance. Those and many other arguments drawn from the unsteady disposition of his people, the divisions among his nobles, and the smallness of his revenues, would have made little or no impression upon a high-spirited prince; but James, in following the maxims of prudence, gratified his own timid, cautious, indolent temper. He appeared to be satisfied with the reasons urged by
Wal-



Walsingham, and agreed to give the lord A. D. 1587. Hunfdon (whom Elizabeth had named her embaffador at his court) an audience. That nobleman, after repeating the fubftance of Walsingham's letter, removed an objection which had given great difquiet to James, who had been impreffed with a notion that his mother being executed for high treason, her blood was tainted in England; and that confequently he was rendered incapable to fucceed to that throne. Hunfdon explained to him the caution that had been taken by Elizabeth, that the commiffioners, among whom were included the judges, fhould declare him capable of fucceeding, notwithstanding her fentence; and the embaffador produced a frefh opinion of the judges to the fame purpofe. Elizabeth, to give James ftill farther fatisfaction, continued to treat Burleigh, notwithstanding his age, and the merits of his fervice, with unrelenting feverity.

As Elizabeth's fituation with Spain rendered it neceffary for her to prevent any rupture with Scotland, ſhe moſt wickedly appointed a commiffion, compoſed of ſome of her greateſt ſubjects, to try Daviſon; and had Paulet or Drury obeyed her infamous directions to murder Mary, there can be no manner of doubt that ſhe would have diſavowed her own act, and have brought them both to a ſcaffold or a gibbet. The caſe of Daviſon was more fa-

Trial and
condemna-
tion of Da-
viſon.

A.D. 1587. vourable; and Elizabeth never played so losing a game of dissimulation as she did on his trial. He was one of the most accomplished gentlemen and soundest statesmen of his age, and a favourite with that great judge of literary merit, Elizabeth's unfortunate Devereux earl of Essex. A reader who lives at this period of British liberty, can scarcely have an idea of Davison's dreadful situation, between the vindication of his own innocence and Elizabeth's tyranny. He had the courage, however, to take part with the former. He was examined on the twelfth of March, upon the following terms: "Whether upon signing of the warrant, her majesty gave it not in express charge and commandment unto you, to keep the same secret, and not to utter it to any body?" His answer was, "That he hopeth her majesty doth not forget how she commanded my lord-admiral to send for him to bring the warrant unto her; having, as his lordship told me, resolutely determined to go through with the execution. That upon my coming to her, it pleased her to call for the warrant, and voluntarily to sign it, without giving me any such commandment as is objected, which he affirmeth as in the presence of God." The second interrogatory was, "Whether her majesty commanded you to pass it to the great seal?" To this he answered, "He trusteth her majesty, in her princely and good nature, will not deny

A. D. 1529.

deny to have given him exprefs order to carry it to the feal ; and how ſhe willed it ſhould be forthwith diſpatched. Whereupon he offering to have gone to my lord-chancellor the ſame forenoon (of the day) it was ſigned, ſhe commanded him to go in the afternoon, becauſe of ſome other buſineſs he had ; which he did accordingly : ſo as it was between five and fix of the clock at night ere he was with my lord-chancellor. So as my lord-admiral knowing it by the occaſion above remembered, and my lord-chancellor by her majeſty's expreſs commandment. Beſides, that at the ſame time it pleaſed her majeſty to give him order to impart it in the way to Mr. Secretary Walsingham, as her majeſty may beſt remember ; he hopeth there ſhall appear no cauſe of any ſuch commandment to conceal it, and not to utter it to any, as is objected."

The third interrogatory was, " Whether, when it was paſt the great ſeal, her majeſty charged you, and that on your life, not to let it go out of your hand, until you knew her further pleaſure ?" To this interrogatory, he proteſteth before God, he neither remembereth, nor received any ſuch commandment given him : for if he had, he would not have concealed it from my lords that joined in ſending down the ſaid commiſſion." The fourth queſtion was, " Whether her majeſty ever willed or commanded you to deliver it to any body,

A. D. 1587. body, or to cause it to be executed?" The answer was, "That as her majesty did not expressly will him to deliver it to any body, so did he never understand her majesty's meaning to be other than to have it proceeded in, considering the hourly danger she lived in, and how much therefore it imported her life and state. Besides other reasons too long to be here rehearsed."

The fifth was, "Whether six or seven days after it was past the great seal, and in your custody, her majesty told you not in the gallery, that she had a better way to proceed therein, than that which was before devised?" To this Davison answered, "That he remembereth that upon some letters received from Mr. Paulet, (keeper of the Scotch queen) her majesty falling into some complaint of him, upon such cause as she best knoweth, she uttered such a speech, "that she could have matters otherwise done." The particulars whereof I leave to her best remembrance."

Elizabeth was not a woman to be daunted in a matter on which she had set her heart. She was resolved to destroy Davison, that she might keep up appearances for herself. Popham the attorney, and Egerton the solicitor-general, endeavoured to entrap him in his own answers. In this they were seconded by Gawdy and Puckering the queen's serjeants, who alledged that he had imposed upon Burleigh,

A. D. 1587.

leigh, and the other counsellors. Davison, in his answer to the last interrogatory which had been put to him, had but just hinted at the transaction with Mary's two keepers for putting her to death; but durst not then explain it, for fear of Elizabeth's displeasure. He knew the venality of the law-judges, before whom he was tried; and that his sentence would be severe in proportion as his defence should affect Elizabeth. It cost him tears, however, to keep the secret; and the concealing it, in some measure, deprived him of his defence, as it would have laid open the true reason of Elizabeth's hesitation. The evidence being closed, the law-judges approved of Davison's conduct, and applauded his honesty, but sentenced him to pay ten thousand marks for his imprudence. The lord Lumley, though a papist, allowed the justice of Mary's sentence; but thought it was barbarous to stifle the fountains of mercy in the sovereign's breast. The lord Grey justified Davison in every respect. "Whatever punishment (said he to the court) you shall lay upon him shall not displease me; never shall he lose with me the esteem that is due to a good and an honest man." The earls of Worcester, Cumberland, and Lincoln, were pretty much of the same opinion; and the two archbishops extolled Davison to the skies; but after all, he was condemned for his honesty, fidelity, and good intention, not only to pay
ten

A. D. 1587. ten thousand marks, but to be imprisoned during the queen's pleasure. He afterwards drew up a laboured, circumstantial, apology for himself, which he addressed to Walsingham, and which has been published by Camden. In this apology, I cannot help observing that he is a little inconsistent in his conduct. He says there, that he remonstrated to Elizabeth (when she said that there might be found people who would put Mary to death for her sake) how dishonourable and unjust a thing this would be; and withal into how great danger she would bring Paulet and Drury by it. This, I say, was a pretty extraordinary remonstrance, after the joint letter which Walsingham and he had sent to those two gentlemen upon the subject. Upon Walsingham's death, a strong party was formed, with Elizabeth's favourite the earl of Essex at their head, to restore him to his place of secretary of state, but all was in vain; for though Elizabeth commended Davison's abilities and honesty as much as his best friends could express themselves, yet she rejected all intercessions in his favour, without giving any other reason than that she was resolved.

Trial and
sentence of
the master
of Gray.

All thoughts of avenging Mary's death were then vanished; and James affected to be influenced to pacific measures upon reasons of state and policy. The public resentment against Gray, for the infamous part he had acted, was

now

A.D. 1587.

now so strong, that James could not resist it, and he resolved to give him up. Sir William Stuart, brother to the late earl of Arran, who was now in exile, and reduced to his former title of captain (or colonel) James, undertook to be his accuser, in revenge for the part he had acted against his brother. He pretended that Gray had invited him to join in a conspiracy for killing the lord Thirlstan and other ministers of state, who had been instrumental in the banishment of the captain, whom he offered to restore to court. Sir William privately informed James of all that had passed between him and Gray, and of the treacherous part the latter had acted with regard to his mother, which filled James with horror, and he consented that Gray should be tried. As he denied the charge, when confronted with Stuart, it was found necessary to commit them both prisoners to the castle of Edinburgh; and Stuart not only persisted in his former accusation, but added, that he could prove that Gray had secretly desired the court of France and the duke of Guise not to grant James any assistance in revenging his mother's death, unless the Roman catholic religion was tolerated within his dominions. A letter, or a copy of a letter, to Elizabeth was likewise produced, in which Gray, speaking of Mary, made use of the expression "mortui non mordent, dead people do not bite." Gray, in fact, owned both

A. D. 1587. charges, but endeavoured to alleviate them. Being brought upon his trial, he was sentenced by James to be banished out of Scotland, not to return upon pain of death, and prohibited under the same penalty from going either to England or Ireland.

Observation.

The mildness of this sentence is a strong proof of James's indifference as to his mother's fate, as he could have capitally punished him as the greatest delinquent in his kingdom, with the strictest justice; for Gray's crimes were highly treasonable, even tho' he had not been concerned in Mary's murder. According to some historians, the mildness of Gray's sentence was owing to the earnest intercession of the lord Hamilton, and the other noblemen, whom he had been instrumental in restoring to the king's favour at Stirling.

Thirlstan accused, and made chancellor.

Captain James, who remained still lurking among his friends, next attacked the lord Thirlstan, who still exercised the chancellorship, but without the name. He sent James a letter by one of his relations, accusing that lord of being concerned in his mother's death, and in a plot to deliver up his own person to Elizabeth. The passion which James had for his diversions, and his love of indolence, did not suffer him to enter very deeply into the particulars of this accusation. Perhaps he was not a little determined by the sentiments of Elizabeth, who we cannot suppose could be fond of

of the captain's recovering his influence. All the answer that James made to the letter was to discover it to the council, who ordered the captain to surrender himself a prisoner, till the truth of his allegation should be examined, with a certification, that if he did not comply by a certain day, he should be proceeded against as a fower of sedition between the king and his nobles. The day elapsing without his appearing, Thirlstan, instead of being tried, received the office and dignity of chancellor.

James was now of full age; and a parliament was summoned to meet on the twentieth of July to be held at Edinburgh. The expectations of the public were very high with regard to the proceedings of that body; and James, as an omen of his future conduct, entered upon measures, which seem to have been suggested by his own natural sense, for composing all differences among his clergy, as well as nobility. A general assembly of the church was called on the twentieth of June; and the king demanded satisfaction for the offences committed by Gibson and Cooper; and that Montgomery archbishop of Glasgow, should be readmitted into the assembly. The answer of the brethren to those demands was insolent and seditious; for they flatly told James that they would be determined in their obedience to his commands, by the concessions granted in the next parliament to their requests. Upon this

James endeavours to compose all differences among his nobility.

A.D. 1587. answer, the king broke off all further treaty with his clergy; but they seem to have carried their point against Montgomery, who resigned his archbishopric; and it was given to a layman, who was to renounce the same, if the general assembly did not allow of his admission.

The means which James employed in abolishing all differences among the nobility were more singular than they were efficacious. Before the meeting of the parliament, he assembled them at a royal entertainment, which he had prepared for them, in the palace of Holyrood-house, where he was at great pains to show them how necessary it was, at that juncture, that they should forget all their animosities; and he required that all parties at open variance should embrace each other. This was agreed to by all present excepting the lord Yester, who refused to be reconciled to Sir John Stuart of Traquair, for which he was sent to prison, but soon after released. Next day, the king insisted upon their making their reconciliation as public as possible; and that his noblemen should walk by pairs, each joined with another with whom he had been at enmity; and that the reconciliation of all should be completed in sight of the inhabitants of Edinburgh, and at the Market Cross, where a most noble collation was prepared for the purpose. All this was performed; but
James

James little knew that forms, promises, and protestations, are of little avail, when the seeds of rancour remain in the human heart.

Upon the meeting of the parliament, the commissioners from "the church desired the prelates that were present at it to be removed, as having no authority from the church, and the most of them no function nor charge in it at all." This was opposed by Bruce abbot of Kinross; but though the request was rejected, yet episcopacy received a severe blow in this parliament. All the laws made in the king's minority in favour of the Reformed were confirmed; and the unalienated part of the church lands were annexed to the crown for its better support. The tithes of the churches annexed to their benefices, together with the houses of the prelates and precincts, by way of glebe, were left to support the episcopal dignity.

Spotswood.
The temporalities of
bishops
abolished by
parliament.

The reflection naturally occurring from this act is, that the noblemen who were sacrilegiously possessed of church property, agreed to it, in order to quiet their own claims; and even those which were precarious before, had now the sanction of parliamentary authority. They acquired to the possessors a temporal right of enjoying honours and sitting in parliament; and many of their descendants to this day are nobilitated. Their ancestors were known by the names of lords of erection, from their ecclesiastical

A. D. 1587. ecclesiastical temporalities, or the benefices they enjoyed being erected into temporal dignities. The king, young, thoughtless, and profuse, seemed to forget the former zeal he professed for episcopacy, in the flattering appearances of his revenues being augmented ; but his crafty courtiers frustrated his hopes by gratifying his humour. They knew his profusion, and left an opening for him to alienate any portion of the revenue that was thus granted him. He employed this power to such purposes among the needy dependents of his court, that before the end of his reign, he found his income but little encreased by the bounty of his parliament. The ministers and clergy were equally disappointed. They were encouraged to hope that they should have the disposal of the tithes at their pleasure ; but finding themselves deluded by the lay landholders, they joined with the bishops in exclaiming against the government. Upon the whole, so little was either the young king or his parliament actuated by a regard for the clergy in this parliament, that it produced nothing but a conspiracy for appropriating the rents of the church to lay purposes, under pretext, that by abolishing or curtailing the revenues of bishops, there must be an end of the episcopal order in Scotland.

The constitution of Scotland remodelled.

In this parliament, a renovation of the political constitution of Scotland likewise took place.

place. The reduction of the episcopal order was daily operating, to the disadvantage of the crown and its small vassals, in favour of the nobility and great landholders, upon whom the prelates in parliament had always been a check. Thirlstan, who was a very wise minister, seems to have suggested to James, that it would be necessary to revive and reinforce the act of James the first, which exempted all small barons and freeholders from parliamentary attendance, on condition of their sending representatives. The revival of this act, which had fallen into disuse by the poverty, neglect, or ositancy of the lesser barons, was now thought expedient for curbing the excessive aristocratical powers which the nobles had obtained since the extinction of the prelatical interest in parliament. The earl of Crawford, and some of the great barons, would willingly have opposed every measure of this kind; but upon debate, it was found and admitted that the king had a right to summon any of his barons to attend parliament in person, and therefore he might exercise by his prerogative that which he sought by a statute; and this was the consideration upon which it passed, though in the sequel it was far from answering his intentions, on account of the opposition which the representative barons gave to the court measures.

Sir

A. D. 1587.

Embassad-
ors sent to
Denmark.

Sir Patric Vaus and Young were this year sent to Denmark, by order of the parliament, to pay a visit to the princess, who was destined for the king's bed, and to report their opinion concerning the match, that embassadors of greater rank and authority might be sent to conclude it. Upon their return, their report was so favourable, that it was resolved to send a nobleman in the spring, attended by others, to marry her by proxy, and to bring her to Scotland; but the death of the king of Denmark in the intermediate time put a stop to that project.

Alarms in
Scotland
on account
of popery.

The court of Spain, now fully prepared to invade England with one of the most formidable armaments that ever had appeared on the seas, would gladly have brought James to favour their attempt; and numbers of priests and jesuits were then lurking in Scotland, to dispose the remains of the Roman catholic party there to take arms as soon as the Spaniards should land in England. It was thought that the heads of the house of Hamilton, the earls of Huntley and Glencairn, and the lords Herries and Maxwell, looked upon the old religion with no unfavourable eye; and that some of them, particularly lord Maxwell and Huntley, held a correspondence with the Spaniards. The pedantry of James contributed not a little to the public apprehensions; for in
order

order to display his learning, he took a pleasure in disputing personally with Roman catholics and jesuits, in order to convert them; and on that account he sometimes indulged them, particularly one Gordon, uncle to the earl of Huntley, about his court. His majesty likewise shewed great attention to the earl of Huntley, and made him a party in all his diversions and entertainments, though that nobleman was an avowed Roman catholic, and the most powerful of that party in Scotland. But the friends of the Reformation received the greatest alarm from the lord Herries, who was said, but whether truly does not appear, to have expelled the protestant clergy out of Dumfries, and to have heard mass in public.

A. D. 1587.

1588.

The chancellor firmly opposed every measure that tended to encrease even a suspicion of the court's favouring popery. In this he was seconded by the earl Marshal, and some other protestant noblemen, who joined a meeting of the clergy at Edinburgh, to deliberate on the means of suppressing popery. It was there resolved, that the assembly should proceed in a body to the king, and present him with their grievances. James refused to admit them to his presence, because the meeting was unlawful, as not having his sanction; but he ordered the lord-chancellor and some of his privy-counsellors to confer with their heads. The latter behaved with so much firmness in

Proclamations against priests and jesuits.

A. D. 1588. offering to spend their lives and fortunes to enforce the laws against Roman catholic priests, that the report of the chancellor startled James, and he declared himself in very strong terms against irreclaimable papists. The consequence was, that two commissioners were appointed in every shire to prosecute popish priests, if found in the kingdom after such a day. This measure did not cure the evil; numbers of them indeed went to the continent; but the clergy, who were prepared with very exact lists, found that some remained under the royal protection. The clergy repeated their complaints; and the arrival of the lord Maxwell, a noted agent for Spain, in Scotland, forced James upon more active measures. A proclamation was issued of a rigorous nature, in which Gordon, and one Hay, with the other principal jesuits and popish clergy, were named, and required to find sureties for their departure out of Scotland; but James declared that he intended to use milder measures with the earl of Huntley, and other Roman catholic noblemen, who had given him hopes of their being reclaimed; the meaning of which was, that he intended to convert them by the force of his own learning and eloquence.

Vigorous
expedition
of James
to the bor-
ders.

The ferment in the assembly of the clergy still continuing, James declared that he intended to undertake an expedition in person towards the borders against the lords Maxwell and

and Herries. The latter prevented his danger by appearing at court, and disproving the charge brought against him; upon which he was honourably dismissed, upon his promising to suffer nothing to be done in his wardenry, prejudicial to the protestant religion. The offence of the lord Maxwell was of a more dangerous tendency. He had actually promised to the court of Spain to join the invasion with a body of men, if the Spaniards should land in Scotland; and he was at the head of a desperate rabble for that purpose. He was opposed by his friend lord Herries, who was too weak to reduce him, and he was summoned to appear before the council. In the mean time, James had taken the field with a considerable force, and had almost surprized Maxwell in his house at Dumfries; for he escaped, but by an hour, to Galloway. James upon this took possession of several of his houses, some of which were forfeited. The castle of Lochmaben, held by one Maxwell, refusing to surrender, James borrowed some artillery from the nearest English garrison, and the moment it began to play, the place surrendered; but the governor and five of his men were hanged. James then ordered Sir William Stuart to pursue Maxwell, which he did with so much success, that he took him prisoner in the Isle of Sky, and brought him to Drumlanrig. Upon the return of James to Edinburgh, this service gave Stuart so much

A. D. 1588. importance in his own eyes, that the earl of Bothwell ran him through the body for some disrespectful words he had used towards him in the king's presence.

Resolution
of the par-
liament a-
gainst the
Spaniards.

Upon the meeting of parliament, James harangued the assembly upon the measures he was to take with regard to the Spaniards, whose armament was now on the coast of England; but hinted, at the same time, that he inclined to reject all proposals that had come from Spain, and to assist Elizabeth to the utmost of his power, notwithstanding the provocations she had given him by his mother's death. The reasons with which he supported this opinion were sound and politic, and founded upon the danger into which the protestant religion and his own safety must be thrown, if the Spaniards should succeed. He was seconded in an excellent speech by his chancellor, who was of opinion that James ought, previous to all other considerations, to erect watch-houses all over his sea-coasts, and put his kingdom in a posture of defence, in case the Spaniards should land in Scotland. Though we know not the particulars, yet it is certain that Philip had flattered himself that James would lay hold of the opportunity, to revenge his mother's death. In this he was encouraged by the chief Roman catholics in Scotland; and the earl of Bothwell was so sanguine, that he had not only openly espoused the

the cause of the Spaniards in parliament; but had, at his own expence, raised men to invade England. He was silenced by James, who desired him to take care of his own department of business as admiral of Scotland. Upon the whole, the general sense of the assembly was to act with vigour against the Spaniards, and to assist Elizabeth if she required it. A. D. 1522.

Before the session ended, the laws against popery were confirmed, and likewise the annexation to the crown of the temporalities of church benefices. The chiefs of all the clans, Highlanders and Borderers, were ordered to find security for their good behaviour. The natives of Scotland were recalled from foreign services; and many other measures were taken for the public tranquillity. Several commissions were issued at the same time. The first was for raising a taxation to defray the expence of the king's marriage. The second related to the coinage. By the third, a universal measure and weight was established throughout all the kingdom; and the fourth regarded the priority of places, and voting in parliament. This last commission was occasioned by many disputes that happened during the session. The earl of Bothwell contended for precedence of the earl of Crawford; and the same turbulent nobleman (Bothwell) had challenged the earl of Angus. The lords Hume, Seton, Fleming, and Innermeith, con-

Balfour's
MSS. An-
nals.

Its other
proceed-
ings.

tended

A.D. 1588.

Moyſes.

tended each to be the moſt antient baron of Scotland. Thoſe diſputes, which threatened to deſtroy the union among his nobles, which James had ſo lately formed, were referred to the privy-council, who adjudged Crawford to have the priority of Bothwell, and Fleming of his other rivals.

Nothing could be more agreeable to Elizabeth than the late reſolutions of the king and parliament of Scotland. One Aſhby was then her embaffador with James; and by him ſhe offered to give him the title of an Engliſh duke, to confirm his annual penſion of five thouſand pounds, and to be at the expence of a guard for his perſon. I do not perceive that James accepted either the firſt or laſt of thoſe offers; and Elizabeth perhaps grew cool, as her danger decreaſed. Aſhby making but a poor appearance in Scotland, was ſucceeded by Sir Robert Sidney, a man of rank and abilities. Upon his arrival at Edinburgh, he had his audience in the chancellor's houſe; and how well James was reconciled to the murderer of his mother, may appear from the following letter, which he immediately tranſmitted to Elizabeth.

James
writes to
Elizabeth.

“ Madam, and dear ſiſter,
“ In times of ſtraits true friends are beſt tried. Now merits he thanks of you and your country, who proves himſelf a friend to your country and eſtate; and ſo this time muſt
move

move me to utter my zeal to the religion, and how near a kinsman and neighbour I find myself to you, and your country. A. D. 1588.

“ For this effect then, I have sent you this present, hereby to offer unto you my forces, my person, and all that I may command, to be employed against “ all kinds of ” strangers, in whatsoever way, and by whatsoever means, as may best serve for the defence of your country, wherein I promise to behave myself not as a stranger and foreign prince, but as your natural son and compatriot of your country in all respects. Now, madam, to conclude, as on the one part, I must heartily thank you for your honourable begging, by your ambassadors, in offer for my satisfaction, so, on the other part, I pray you to send presently down commissioners for the perfecting of the same; which, I protest, I desire not for that I would have the reward to precede the deserts, but only, that I, with honour, and all my good subjects, with a fervent good will, may embrace this your godly and honest cause, whereby your adversaries may have to do not only with England, but with the whole isle of Britain.

“ Thus, praying you to dispatch all your matters with all possible speed, and wishing you a success convenient to those that are invaded by God’s professed enemies, I commit, madam, and dear sister, your person, estate, and

A.D. 1588. and country, to the blessed protection of the Almighty. From Edinburgh, the fourth of August, 1588,

“ Your most loving and affectionate

“ Brother and cousin,

“ As time shall now try,

“ James R.”

Simple arrives as an agent from Spain.

I shall forbear inserting Elizabeth's answer, which she wrote after the defeat of the Spanish Armada. It is sufficient to say, that it is filled with suspicions, and counsels that he would discourage the Spanish party about his court and person. James took all in good part; and told Sidney, that he expected no other benefit from the Spaniards, if they had succeeded, than that which Polyphemus promised to Ulysses, that he should be the last of all his company whom he would devour. It was not long before James found cause to question Elizabeth's sincerity. He had been so mean and ill-advised, that he had continued Douglas as his ambassador in England; and perceiving that Elizabeth, now that her danger was over, began to evade the performance of the promises she had made by Ashby, he grew once more accessible to the application of the Spaniards and the popish party. One colonel Simple, who had betrayed his trust in the Netherlands to the Spaniards, was employed by the duke of Parma as his agent in Scotland. James winked at his arrival; but or-

ordered Sir John Carmichael, the captain of his guard, to watch his motions, and intercept his dispatches, which Carmichael did; but while he was bringing Semple prisoner before the lords of the council, he was rescued by the earl of Huntley, who suffered him to escape. James affected to be highly enraged at Huntley's conduct; but as he had been but a few days before married to his kinswoman, the duke of Lenox's sister, he was soon reconciled.

The defeat of the Spanish Armada rather increased than damped the desire which Philip had to gain James. One Bruce, who had been an agent for Mary about the prince of Parma, was sent over with letters to Huntley, and the other popish nobility, who informed James that he might marry, if he pleased, Philip's only daughter, the famous infanta Isabella. Bruce was followed by one Chisholm, who delivered ten thousand crowns to Bruce, to be divided among the party, according to the advice of Fintry. Ashby, who again acted as Elizabeth's ambassador in Scotland, taxed Huntley with this conspiracy to introduce the Roman catholic religion; and upon his denying it, his own letters, and those of Errol, Crawford, and Maxwell, to the prince of Parma, and the king of Spain, which had been intercepted in England, were produced as evidences of their guilt; and that they were

Conspiracy
of the Ro-
man catho-
lic lords

A. D. 1588. ready to have joined the Spaniards, if no more than six thousand of them should land in Scotland.

Johnston,
P. 136.

The earl of Huntley and lord Claud Hamilton, according to a contemporary historian, who gives Huntley the character of being a quiet, peaceable nobleman *, appeared before the council, and maintained, that the letters produced were forgeries of their names, and denied their ever having received a farthing of the Spanish money. If we are to believe Spotfwood, and other historians, this defence was merely equivocal, because the popish party refused to give Huntley any share of the remittance, on account of his having, at the persuasion of James, lately reconciled himself to the national church; and the like negative was put upon Hamilton, because he over-rated his services. Be this as it will, the first plan of the conspiracy was undoubtedly defeated. The two active jesuits, Hay and Crichton, threw the blame of all upon the chancellor and the treasurer, and represented James as entirely favourable to the Roman catholic religion, and the court of Spain. As a proof of this, they instanced the kind entertainment and dismissal which James, to the great dislike of Elizabeth, had given to the seven hundred Spaniards, who, upon the defeat of the Armada,

* Huntleyus homo minime ambitiosus, minime turbidus, sed ad quietem proclivis. Johnston.

had been wrecked upon his coasts. Upon the whole, it was judged expedient for the lords to give Philip a proof of their zeal, by removing, at their own peril, and with their own force, the chancellor and treasurer from the court by assassination or otherwise. A.D. 1582.

As the preceding part of this history affords many instances of conspiracies against favourites and ministers, there is no reason to distrust the truth of this combination; but I can scarcely believe, if the letters produced against Huntley were not forgeries, that either he or Hamilton intended any more than to get money from the king of Spain. Some of the other conspirators were less defensible in their conduct. Errol was but a new convert to popery, and was therefore rash and violent to signalize his zeal. Bothwell, though he professed the protestant religion, was profuse and desperate; and having been promised two rich abbeyes, he took that opportunity of gratifying his innate hatred of the English, by joining in the conspiracy. A convention of the states was then sitting at Edinburgh; and so industrious had the popish party been in their practices, that some terrible catastrophe must have happened, had it not been for the unwearied assiduity of James, in punishing or reconciling the parties at variance. The earls of Montrose and Crawford, and Johnston says the earl of Morton, (but that I think must be a mistake,

A.D. 1588. unless he means the lord Maxwell, who was still in prison, but retained that title) joined the conspirators ; the two first for private motives. Their scheme was to assemble their forces between Leith and Edinburgh, and to march directly to the palace, to perpetrate their purpose. From the proceedings of the convention, which continued still to sit, and the public speeches of James, it is plain that he more than suspected this conspiracy. He declared, that in case any manner of convocation was made hereafter, by earls, lords, barons, or any others, “ that he should esteem it as a contempt done to his majesty’s own person, and would himself ride in proper person for taking order with the convokers, and punishment of them with all rigour.” Private orders about the same time were given to the magistrates of Edinburgh, to be watchful against any commotion ; and James, by remaining in that town, and lodging in the same house with the chancellor, prevented the conspiracy from taking effect ; for the conspirators perceiving their design to take air, returned to their several estates, all excepting Huntley.

defeated ;

James had so great a regard for that nobleman, that he made him colonel of his guard, during the dispute between two of his favourites for that post ; and he presumed so much on the king’s favour, that he came from Dumfermling to Edinburgh, where he entered the

the king's apartment on the very night when the conspiracy was to have been executed, attended by a band of stout resolute men, who were resolved to have dispatched the chancellor, whom they found in the king's company, had not Huntley given them orders to the contrary. The king, possibly suspecting the meaning of the visit, drew Huntley into a closet; and the chancellor being left surrounded by the conspirators, gave himself up for lost. He was suffered, however, guarded by three of his friends, to pass unmolested to his own apartment. Next day, when James was apprized of his chancellor's danger, he confined Huntley to the castle of Edinburgh. The conspiracy being now fully discovered, the earls of Athol and Bothwell were denounced rebels; but Montrose and Crawford were pardoned, upon their promising not to engage in such practices for the future. A few days after, Huntley was set at liberty; and upon the whole completion of the proceeding, I think that James acted a wise and moderate part, had not the turbulence of the conspirators carried them greater lengths.

The first use that Huntley and Crawford made of their pardon was to surprize the person of the treasurer, Glamis, who was committed prisoner to Huntley's uncle, but treated with great respect, and in a short time sent home with an honourable escort. The conspiracy

A. D. 1582.

Pitlurg's
MSS. Hist.
of the
House of
Gordon.

1582.

A.D. 1582. spiracy, however, gathered greater strength than ever; and it was soon known that Huntley, Crawford, and Errol, had assembled their forces at Aberdeen, where they issued a proclamation, in the king's name, declaring, that he was held captive (by the chancellor), and forced against his mind, to use his nobles more rigorously than he desired; requiring all the lieges to concur and assist them for setting his person at liberty."

No sooner was Elizabeth informed how mildly James had proceeded with the conspirators, than she upbraided him as an apostate from the cause of liberty and religion. The clergy, at the same time, took the alarm; and one Mr. Robert Bruce, their ringleader, told James to his face, while he was expressing himself in favour of Huntley, that as to Errol and Angus, who likewise had engaged in the conspiracy, peace might be granted to them, but none to Huntley; therefore his majesty might either chuse Huntley's friendship or his. Proclamations were then issued, rigorously commanding the jesuits and priests, Hay, Crichton, and Bruce, with Graham of Fintry, to leave the kingdom under pain of death; and others were issued for all the king's liege subjects on the south of Aberdeen to attend.

but it is renewed,

The conspiracy of the popish lords proved like that of the late rebellion in the north of England, a crude indigested scheme. James knew

knew that in his person he had nothing to apprehend from Huntley; for which reason, he had put himself at the head of his troops, with great appearance of resolution. The conspirators, on the other hand, had trusted to the earl of Bothwell for a strong diversion in the south; but that nobleman, unable or unwilling to fulfil his engagements, had dismissed his forces, and had offered to submit to the king's mercy. As the chancellor was not very popular in Scotland, the king's proclamation for the subjects to attend him was but slowly obeyed; for when he marched north, his army did not amount to two thousand men, while that of the rebels amounted to three thousand. James being advanced to Cowie, which is within ten miles of Aberdeen, harangued his nobles and officers with such an air of authority and resolution, that they swore to stand by him to the last. Even that crisis of danger did not prevent animosities among his great subjects. Lord Hamilton, in right of his royal blood, claimed the leading of the van-guard, but was opposed by the earl of Angus, who had returned to his duty, because that honour had been assigned to his ancestors. James gave the preference for that time to Hamilton, but left the pretensions of Angus in their full force.

The rebels hearing that the royal army was advancing, called a council of war; and according to the historians of the house of Gordon,

and they
disperse.

it

A.D. 1589. it was owing to the moderation and loyalty of Huntley, that an engagement, in which James must have been defeated, did not follow; for he represented to the other lords, "What he doubted nothing of the event, if they should come to engage in battle; the victory, according to human probability, would be theirs; but he would not have the victory gained with the manifest danger of the king's person, being in the midst of his enemies: and when both parties should engage in battle, who could be such a confusion, be secure of the king's person and safety? and no doubt his majesty would easily reflect, that it was only the reverence to his person, that made them let pass so fair an occasion to repress the fury of their enemies, so far inferior in number to them. Therefore it was fit to disband their army, and let the king enter peaceably into the country, and wait for better times; all human affairs being subject to change, and nothing yet done which might not be easily pardoned."

The earl of Errol opposed this moderation, and the rebel army, in general, being now so deceived in their opinion that James was a prisoner, and wanted to regain his liberty, began to disperse of themselves; so that in the morning, when the royal army had begun to march from Cowie, an account came that there was no enemy in the field. James, however, proceeded to Aberdeen on the evening of April,

April, and numbers of the rebel army came to pay him their obedience; but Huntley retired to his estate at Strathbogie. James advanced (as he pretended) to demolish his castles and houses; but Huntley surrendered himself, and was sent prisoner to Edinburgh, where he was kept under an easy confinement. Upon the return of James to Aberdeen, many of the great barons of the north gave bonds for their good behaviour; and thus the public tranquillity was once more restored.

The punishment of the delinquents came next under consideration; for James could not in decency pardon them without the form of a trial. Means, however, were found to treat them gently. The treasurer interceded for Huntley and Crawford; the chancellor, and some of the clergy, for Bothwell; but none for Errol. James admitted Huntley, though still a prisoner, to a private conference; and he with Crawford and Bothwell were tried by a special commission. Huntley pleaded guilty, and was committed prisoner to the castle of Edinburgh; Bothwell to Tantallon; and Crawford to Blackness. Those forms were observed in order to pacify Elizabeth and the clergy; but James declared he was resolved that his kingdom should be in perfect peace at the time of his approaching nuptials, and undertook a fresh progress northwards. The fiery ministers of Edinburgh, in the mean while, prevailed

Delinquents
censured
and pardon-
ed.

A. D. 1539. with the general assembly of the clergy to pass a sentence of deprivation upon the archbishop of St. Andrew's, for marrying the earl of Huntley, in direct opposition to the royal, and indeed every other, authority but their own. Though so open a contempt of the laws and constitution deserved the severest animadversion, yet James was contented to punish it only by granting Errol a pardon, and liberty to the condemned lords, whom he had admitted privately into his presence, to give them his reasons why he could not publicly take them into his favour.

Practices of
Elizabeth
against
James.

Elizabeth was at this time in the zenith of her glory. At home, the innocent mark of Arundel, for no reason but because she was the head of the house of Howard, and had attempted to fly from her tyranny, was her prisoner, and under sentence of death. The popish lords dreaded her so much, that they were the surest ministers of her vengeance; and even the puritans were awed into compliance and conformity with her will. Abroad, her fleets and armies were victorious over the Spaniards in every quarter of the globe. Her enemy, the duke of Guise, had been assassinated, as was his master, the worthless Henry the third; and she was then supporting, with vigour and success, Henry the fourth against the leaguers. She knew no disguise but what came from Scotland, which she could not es-
dure

dure to be united under its king, or to be in
 that state of tranquillity which it enjoyed at
 this period. The match between James and
 the princess of Denmark gave her so much un-
 easiness, that she omitted nothing that could
 break it off. She had employed the king of
 Navarre as her instrument for that purpose;
 and DuBartas, the capital author of that sus-
 tained poetry which was then so much in vogue,
 was sent as his ambassador to James, to pro-
 pose a match between him and the princess of
 Navarre. Elizabeth found means to represent
 at the court of Denmark this negotiation as
 having taken rise from James himself; which
 exasperated his Danish majesty so much, that
 he gave a promise of the daughter who had
 been destined for the throne of Scotland, to the
 duke of Brunswick, a little before his death.
 He had still another daughter; and James,
 who was fond of an alliance with Denmark,
 courted her by his ambassadors. Elizabeth
 would gladly have traversed that match like-
 wise; but the Lorrain interest in Denmark was
 then so strong, that the young king gave his
 consent to the match, and a hundred thousand
 pounds (Scottish money I suppose) was voted
 for the expence of the wedding. All the pre-
 liminaries being settled, James
 made choice of the earl Marshal, one of the
 richest and most splendid noblemen then in
 Scotland, to bring over his bride. The earl

He em-
 barks for
 Denmark.

A. D. 1539. was attended by the lord Dingswal, the constable of Dundee, and a civilian; while James applied himself to do every thing that could preserve the tranquillity of his country; and to make preparations for the reception of his queen. The earl discharged his embassy with great state and magnificence; but about the middle of September, lord Dingswal departed from Denmark with tidings, that the young queen having embarked for Scotland, a storm arose, which separated his ship from the rest of the squadron, and that he left it in great distress, making for the coast of Norway. This account gave James so much concern, that a public fast was held for her preservation and deliverance. In October, another ship came from Denmark with an account of the young queen's safety, and the imminent danger she had escaped; but that she could not proceed on her voyage, both on account of the damage the squadron had received, and the pious ceremonies of the Danish court, which did not admit of her sailing without the full complement of her convoy. James, after some secret consultation with his chancellor, very gallantly resolved to break through this formality, by sending his admiral, the earl of Bothwell, to Norway, with a squadron, to demand the princess as his betrothed wife, she having been married by proxy. Bothwell brought in an estimate of the expence of sitting

1539
 Dingswal.

1539
 1539
 1539

Murden's
 State Pa-
 pers, p.
 640.

A. D. 1529.

setting out five ships; and a council being called, it was found to be greater than the royal finances could defray. The chancellor upon this, as had been before concerted between him and James, offered, by the assistance of his friends, to fit out five or six ships, in which he proposed to embark in person to bring home the queen. The motion was agreed to, and the ships were got ready; but the furniture, provisions, and attendants, appointed for the voyage were so costly and pompous, that the counsellors began to suspect the king would make the voyage in person. This was the original intention of James; nor did he entrust any with the secret, excepting the chancellor, the justice-clerk, and Sir William Keith, but he intended to make a small party of the duke of Lenox and the earl of Bothwell, and James with his intention of clandestinely leaving the kingdom; but he turned the matter into a joke. The earls of Morton and Angus, and Glamis the treasurer, associated themselves, to prevent James, even by force, if needful, from undertaking the voyage; but he eluded all their precaution; for

Ibid.

James sets sail for Denmark.

The intelligence from which these particulars are taken, is contained in a letter from one Mr. Thomas Fowler (which I believe is a disguised name) to lord Burleigh. From this I infer, that this Fowler, whatever he was, was one of his lordship's spies about the person of James, and that the secret was betrayed to him by one of the three persons above-mentioned, as the event proved the truth of this intelligence; though written before the departure of James.

ON

A. D. 1589. on the nineteenth of October he embarked; but he was constrained by a violent storm to return to Leith road. He set sail again on the twenty-third, and on the twenty-fourth two papers, under his own hand, were produced. The first was in the nature of a declaration; and the other contained directions to the council in his absence. Both those papers were certainly drawn up by James himself, without any assistance; and though the language in some places is too familiar, or rather too vulgar, yet they do great honour to his natural good sense, which was spoiled only by his learning, and the high idea he had of his royal dignity. The reader will find both in the notes

" In respect I know that the motion of my voyage will be at this time diversly scanned, and misinterpreting may be made as well to my dishonour as the blame of innocents, I have thought fit to leave this declaration, for resolving all good subjects, first of the causes that moved me to undertake this voyage, then in the fashion in which I resolved to make the same. As to the causes, I have been generally blamed by all men for deferring my marriage so long, being alone, without father, mother, brother, or sister; and yet a king not only of this realm, but heir apparent of another. This my nakedness made me weak, and mine enemies strong: for one man is no man, as they speak, and where there is no hope of succession it breeds contempt and disdain: yea, the delay I have used hath begot in many a suspicion of impotency in me, as if I were a barren stock. These and other reasons moved me to hasten my marriage, from which I could yet have longer abstained, if the wealth of my country could have permitted. I am not known to be rash in my weightiest affairs, neither am I so carried with passion as not to give place to reason; but the treaty being perfected, and the queen on her journey, when I was advertised of her stay by contrary winds, and that it was not like she should pursue her voyage this year, I resolved to make it on my part possible, which was impossible on hers.

" The

and may think it extraordinary, that a prince so devoted as James to the diversions of the

A. D. 1539.

The place where I first took this resolution was in Craigmillar, none of my council being present; and as I took it by myself, so I bethought me of a way to follow the same. And first I advised to employ the earl of Bothwell in the voyage, in regard he is admiral; but his preparations took so long a time, that I was forced to call the council, and send for the chancellor and justice clerk, who were then in London. When as they met, they found so many difficulties in sending forth a number of ships for the queen's convoy, (for so I gave it out) and who should be the ambassadors, that I was compelled to avouch, if none should be found to go, I should go myself alone in a ship: adding, that if men had been as willing as became them, I would not have needed to have been in these straits. This the chancellor taking to touch him, (for he knew he had been slandered all that time for impeding my marriage) partly out of love to my service, and partly fearing that I should make good my word, if no better way could be found, made offer to go himself in that service. This I embraced, keeping my intention from all men, because I thought it enough for me to put my foot in a ship when all things were ready, and from the chancellor himself (from whom I never kept any of my weightiest businesses) for two reasons. First, because if I had made him of my council in that purpose, he had been blamed for putting the same in my head (which had not been his duty); for it became no subject to give his prince advice in such matters: withal considering what hatred and envy he sustained unjustly for detesting me by the nose, as it were, to all his appetites; as though I were an unreasonable creature, or a child that could do nothing of myself, I thought pity to heap more unjust slanders on his head. The other reason was, that I perceived it was for staying my journey that he made offer to go; so was I assured, if he had known my purpose, he would either have stayed himself at home, or, thinking it too heavy a burthen for him so undertake my convoy, he would have lingered so long, as there should not have been a possibility for making the voyage. This I thought meet to declare, (and upon my honour it is the truth) lest I should be esteemed an imprudent ass, that can do nothing of myself, and to save the innocency of that man from unjust reproaches. For my part, besides that which I have said, the shortness of the way, the surety of the passage, being clear of all sands, forelands, and such other perils, safe harbours in these

A.D. 1589. field, and so indolent and dissipated in other respects, could be author of two such compo-

parts, and no foreign fleets resorting in these seas ; it is my pleasure that no man grudge at this my proceeding, but that all conform themselves to the directions I have given to be followed until my return, which shall be within twenty days, wind and weather serving ; and if any shall contravene these, I will take it as a sufficient proof that he bears me no good will in his heart ; as to the contrary, I will respect all that reverence my commandments in the best sort I may. Farewell."

The other paper is as follows :

" Seeing it hath pleased Almighty God to bring us to man's age, and that nothing hath been more earnestly wished by all our good subjects than to see us honourably matched, so that the crown might descend to our own succession after so many progenitors : We, to satisfy their desires, having resolved upon a personage that for blood and other commodities of alliance could not be thought but most worthy, did enter into contract with Frederic king of Denmark lately deceased, and by advice of our council directed our ambassador to solemnize the marriage, and conduct her unto this realm. But having intelligence, that by contrarious winds, she and her company was driven to Norway, and that it being remitted to her choice whether she would return unto Denmark or make stay there until the opening of the spring, she had embraced the last condition, as the best and most liking to her desire ; albeit hitherto we have not behaved ourself dissolutely, but patiently attended the good occasion that God should offer ; yet now taking to heart her pains and danger, with the difficulties that have occurred in her transport, we could find no contentment till that we enterprized to make a voyage towards her, and bring her home, which we are in good hope to do within the space of twenty days, wind and weather serving.

" Yet fearing the time of my stay may be longer at God's good pleasure, we have of our own motion, and not counselled by any, left a declaration with the clerk of register, and willed no man to grudge at our absence, seeing in former times the kingdom hath wanted a governor longer than with trust in God it shall want us ; as, namely, from the death of our grandmother the queen regent, unto the arrival of our dearest mother from France, the space of fourteen months ; during which time, for the reverence and love carried to her, albeit a woman and minor in years, no violence was committed by any person, and greater peace and quietness observed than was before or since that time known

sitions. Together with those letters, he left several blank commissions to be filled up at the discretion of his regency. No sooner was the departure of James known, than the public of Scotland was in an uproar; but it soon subsided

known to have been kept. And notwithstanding our expectation is nothing less of the good behaviour of our subjects in this our absence, we have taken order, for the better government of the public affairs, that our privy-council should reside at Edinburgh, and ordained the duke of Lenox our nephew to be president thereof, and to be assisted by our cousin Francis earl of Bothwell, whom we appoint to attend him with the other officers of state, namely, the treasurer, comptroller, master of requests, privy seal, the captain of the castle of Edinburgh, advocate and clerk of register, who shall ever be present, five of them at least, with our said nephew.

We have likewise given order that some noblemen in their courses shall attend at Edinburgh the space of fifteen days; the earls of Angus and Errol, with the lords Fleming and Innermeath, to begin; and the next course to be kept by the earls of Mar and Morton, with the lords Seaton and Yester. The barons of Lothian, Fife, Striveling-shire and Strathern, we appoint to attend as they shall be warned and directed by the council. For the south parts we have made the lord Hamilton our lieutenant, that is, within the three wardenries and sheriffdom of Lanerick, and to be assisted, when need is, by the lords Boyd, Herries, Maxwell, Home, Cessford, and other chief barons within the marches; his residence to be at Dumfries or Jedburgh, and his charges to be furnished out of the readiest of the taxation by Mr. John Colvill, collector thereof. And that peace and quietness may be the better observed, we discharge all conventions for any time whatsoever unto our return. Finally, we require the ministers and preachers of the word to exhort the people to peace and obedience, and commend us and our journey in their prayers to the protection of Almighty God. As this is our desire, so we expect that all our good subjects will follow the same, especially they who have tried our favour of late, and that they will persist in the loyalty promised by them: certifying those that do the contrary that they shall incur our high displeasure, and be punished with all rigour; as, on the other part, we shall remember the peaceable and obedient thankfully, when occasion presents.

A. D. 1589. through the prudent measures he had taken. He wrote a letter to the warden of the English marches, acquainting him, that he had committed the care of the Scotch borders to the lord Hamilton, who was a friend to the tranquillity of both nations; and that he had admonished the lord Maxwell, and the other turbulent borderers, to keep the peace.

where he
marries his
queen.

The council met as soon as it was known that the king was at sea, and broke open the packet he had left, containing the papers we have given in the notes, together with another letter, declaring the duke of Lenox to be president, Sir Robert Melvil to be vice-chancellor, Alexander Hay secretary for the Scotch language, and Mr. James Elphinston for the Latin and French. His voyage was more favourable than he could reasonably have expected in so advanced a season; for he landed on the fifth day after his embarking, at a place called Flackroy, on the coast of Norway, near Upsal, or (as Moyfes calls it) Upslo, and where James arrived on the nineteenth of November. Moyfes, who probably attended James, describes the circumstances of their meeting, in which James used a freedom, which the queen thought was too indelicate; but she soon became reconciled to it after a little conversation. The retinue of James consisted of the chancellor, Sir Lewis Ballenden justice clerk, Douglas provost of Lincolnden, the gentlemen of his bed-chamber,

ber, the ordinary officers of his household, and a clergyman, Mr. David Lindsay, who performed the nuptial ceremony in French. James then thought of returning immediately home; but this was opposed by the Danish noblemen about his queen's person; and he was persuaded to make a visit to the queen-dowager of Denmark, and her son the young king. In the mean while he sent back colonel Stuart, the lord Dingwall, and all the useless part of his retinue, with his ships to Leith, where they landed on the fifteenth of December; and they made so favourable a report of the young queen and the gallantry of his majesty, as well as the magnificence of the Danish court, that it gave universal satisfaction. The earl Marshal, who was still in Denmark, laid before James, at the same time, the particulars of his negotiation, and informed him, that the regency of Denmark had agreed to defer all the Danish claims upon the islands of Orkney and Scotland, till their king should be of full age, when they were to be amicably adjusted.

As it was necessary for James and his queen to pass through part of the Swedish territories, in his way to Copenhagen, that monarch sent him a safe-conduct, with an escort of four hundred horse. The reception of James and his queen at the Danish court was polite and splendid. His expences, and those of his retinue, were defrayed by the regency from the time

He arrives
at Copenha-
gen.

A. D. 1589: of his entering Denmark. As the marriage of his queen's elder sister with the duke of Brunswick was not to take place till April, the delay served James for a pretext to defer his return till that time; and he sent one of the gentlemen of his retinue to Scotland, to order the council to send back the ships for him accordingly, and to inform them that his queen was with child.

On the seventeenth of December, Bowes the English embassador arrived from Elizabeth at Edinburgh without the usual passports; for which the council ordered him to confine himself to his house for a day. He endeavoured to excuse this extraordinary strain of insolence, when admitted to an audience, by pretending the urgency of his commission; and presented a letter from his mistress, complaining of the practices of the papists and the emissaries of Spain against the protestant religion, and the peace of the two kingdoms. Nothing could be worse founded than those complaints; for the nation was never known to enjoy greater tranquillity than it did during the absence of James. The lord Hamilton had examined the state of the borders; and upon his return to Edinburgh, the council had written a letter to England on that head, pointing out the method for preventing any disorders there; and James had been particularly attentive to that quarter. The council taking Bowes's commission into consideration, returned a respectful answer to Elizabeth,

Negotiation
of Bowes.

beth, who offered to assist them, if necessary, with her troops. Towards the end of January, 1590, Elizabeth's apprehensions received some countenance, by the landing of some Spaniards, with one Colvil, a Scotchman; and James, who kept up a very close correspondence with his regency, ordered them to be closely confined, and Colvil to be put to the torture, threatening to turn out of his council, as papists and practitioners, all who should connive at their escape.

A.D. 1589.

1590.

Rym. Fœd.
tom. xvi. p.
30.James re-
turns to
Scotland.

I shall omit all the minute particulars of the royal pair's arrival in Scotland. They were attended by a squadron of Danish ships, on board of which were the Danish admiral and several officers of rank, with about thirty gentlemen, who wore gold chains by way of distinction; the whole number amounting to above two hundred and twenty persons. I find from the public records, James was extremely anxious that their entertainment should be magnificent as well as hospitable; but never was a court worse provided for that purpose; and it was with the greatest difficulty, for want of money, that James could save appearances, or get credit for his own table and that of his queen. I perceive, however, that his agent, Colvil, had obtained some supply from Elizabeth, who saw it was in vain any longer to oppose his marriage, and wanted to soothe him, because the Spaniards still continued their preparations against England. By this supply, and the loans ad-
vanced

A.D. 1590.

vanced by some of the great nobility, James was enabled to make a tolerable appearance in the eyes of his guests, particularly at the time of his queen's coronation.

His queen
crowned.

He had intimated to his council his intention to have that ceremony celebrated with all possible magnificence, and that it should be performed in the palace of Holy-rood house by Mr. Robert Bruce, who was but a presbyter. This is a proof that James had at this time got over many of his prepossessions in favour of episcopacy; and indeed the good order and tranquillity which reigned in Scotland during his absence, left him no room to be dissatisfied with the ecclesiastical constitution. Some of the clergy, however, Melvil particularly, objected to the Jewish ceremony of unction; but James insisting that it should be performed, and threatening to employ a bishop for that purpose, they withdrew their opposition, and she was crowned in the palace of Holy-rood house, the crown being borne before James by the duke of Lennox, the sceptre by lord Hamilton, (whose father, the earl of Arran, continued to be insane) and the sword of state by the earl of Angus. The queen's crown was carried before her by the lord chancellor Thirlstan, and she was attended by the ladies and noblemen of her own country *. Mr. Galloway, the minister of

* I am far from considering the names of the particular persons who assisted at this coronation, as being of no importance to

Perth, preached a sermon; Bruce took her A. D. 1598.
oath, anointed and crowned her; and Melvil pronounced a Latin harangue. Next day she made a public entry into Edinburgh, where the magistrates prepared a splendid entertainment for her Danish attendants, who soon after took leave of their majesties, and returned to Denmark loaded with rich presents.

The festivities being over, it soon appeared, that the calm which so lately flattered James was deceitful. Unmeasurably addicted to pomp, pleasures, and sports; hasty in his resolutions, but indolent in seeing them executed; without true courage in himself, and a prey to the designs of others; the reins of his government were now so relaxed, that the worst evils of the aristocratical constitution recurred.

The earls of Huntley and Murray tyrannized in the north, without knowing any power Disturbances in the north.

to history, and the mention of them here is a mark of respect due to their descendants. The duke of Lenox, the earls Marshall, Angus, Crawford, Rothes, lord Hamilton, the earls of Marr, Montrose, Athol, Murray, Bothwell, bishop of Orkney, the abbots of Paisly, Lindores, Cambuskenneth, Melrose, Culrose, the bishops of Dunkeld and Brechin, and the lord Altree; Sir James Douglas of Drumlanrig, Sir James Johnstone of Johnstone, Sir Robert Carr of Cesford, Sir Walter Scot of Balcleugh, Sir Alexander Stuart of Garlies, Sir Robert Gordon the younger of Lochinvar, Sir James Melvil of Hallhil, Sir John Cockburn of Ormiston, Sir James Scot of Balveny, Sir John Campbell of Lawer, Sir Duncan Campbell of Glenorchy, Sir Thomas Lyon master of Glamis, Sir John Carmichael of Carmichael, Sir James Scrymgeour constable of Dundee, Sir Thomas Kennedy tutor of Cassilis, Sir John Maitland chancellor, created lord Crighton.

para-

A. D. 1590. paramount to their own. The latter, whose name was Stuart, and of the family of Ochiltree, had married the daughter and heiress to the regent Murray, and through her he succeeded to his title. The variance between the two families still subsisted; and one of the name of Gordon happening to be killed by the tutor of Ballandalloch, the latter refusing to appear before a court of justice, put himself under the protection of the earl of Murray. Huntley had orders to apprehend the offender, whose name was Grant, and he took the castle of Ballandalloch. This produced an association, under the earl of Murray, of the Clan Grant, and Clan Catton, and the other families hereditary enemies to the house of Huntley. Their place of rendezvous was Forres, a town in the neighbourhood of Murray's house of Tarnway; but the associators were surprized and dissipated by Huntley with some bloodshed. James interposed, and with difficulty dissuaded Huntley from pursuing his revenge; so that the quarrel went no farther at that time.

Scarcely was this commotion abated, when matters of a very different importance employed the court. James, partly through the prejudice of education, and partly through a natural weakness and credulity, was strongly prepossessed with a belief in the reality of witchcraft. Three women and a man were on that account apprehended and imprisoned.

The

The women were grave, matron-like persons ; but one of them (Simpson), whose head seems to have been disturbed, was burnt upon her own confession, of having a communication with the devil. The man, whose name was Graham, had been long reputed a forcerer, and very possibly earned his bread by the credulity of the vulgar, who consulted him. As the disbelief of witchcraft at that time would have been as dangerous as the crime itself, Graham was apprehended and examined ; and he impeached the earl of Bothwell (who very possibly was one of the people who consulted him thro' curiosity) with having questioned him concerning several facts relating to the king, which amounted to too great a curiosity concerning his majesty's fate. I am inclined to believe, that the fellow was instigated to this by some creatures of the chancellor, who was Bothwell's capital enemy, and who suspected that he was at the head of a party forming against him. Be this as it will, Bothwell was committed prisoner to the castle of Edinburgh, from whence he escaped after about a month's confinement.

A. D. 1590.

1591.
Witches apprehended
and burnt.

There is no character of those times so dark as that of Bothwell. He is represented by historians as being the Catiline of Scotland, with a head to contrive, and a hand to execute any wickedness. The truth is, he seems to have been a hot desperate man ; but he was inviolably attached to the unfortunate queen

Bothwell's
attempt
upon the
king's palace

A. D. 1591. Mary, and upon all occasions a declared enemy of Elizabeth and the English, consequently of the chancellor, who was the sole support of her interest at the court of James. After his escape, he was declared a rebel; his estate was forfeited; and a proclamation was issued, charging him with the crime of necromancy, upon the evidence of witches and wizards, who either had suffered, or were to suffer on that account, and prohibiting all subjects of Scotland to correspond with him under the highest penalties. Bothwell gave out that all the persecution raised against him proceeded from the chancellor, who then governed James in so despotic a manner, that a strong conspiracy was formed against him. Even the duke of Lenox had privately entered into it; and the young queen, who began to display her talents for court-intrigue, did not discourage it. The earls of March and Hume, and almost all the great nobility, favoured it; so that the chancellor seemed to stand by himself.

He was indeed a man of parts, but he could not have maintained his ground with James (for though he was a minister, he was not his favourite) had he not been powerfully supported by Elizabeth. Bowes was still her minister at the court of Scotland, and sent her such intelligence as convinced her, that the chancellor supported his credit only through the poverty of James, which Elizabeth relieved. I do not, however, find, that she had

as yet given him any regular permanent security for the enjoyment of his pension. James had employed the baron of Weemys to solicit her to fulfil the promises and offers she made him by Ashby, and to grant him the Lennox estate in England. She flatly refused both; and pretended that Ashby was ready to take his oath that she never had empowered him to make any such proposals. James was obliged to submit; and I find by the state-papers, that his person was at this time beset by Elizabeth's spies. One Hudson was the most trusted among them; and the reader will find part of a letter of his to Burleigh, containing a striking picture of James and his court * at this period, every word of which is corroborated by facts and events.

A.D. 1591.

Murden's
State Pa-
pers.Rymer,
vol. xvi,
p. 148.

* Speaking of the danger of James being surprized by Bothwell and his faction, he proceeds as follows: "This danger of the king's surprize cannot be prevented by advice nor advertisement; for he is of a disposition that will hardly believe such matters till they be too evident; and again, he will not be restrained from the fields, and in his pastime for any respect.

"And seeing they that possess his ear, may move him to do many things, when he heareth no other but them, it resteth how he may be preserved from evil company; and this danger, which must be by a guard, which he is not able to maintain by no means, (for, while I was there, his table and the queen's had like to have been unserved by want) the queen, her house and train, are more easy to him than his own; and all his servants of great place abuse him, and every of them serveth one another's turn; and the king being over frank, and somewhat negligent, sustaineth the want and shame; for he hath nothing, that he accounteth certain, to come into his purse, but what he hath from her majesty, which of extreme need he is driven fore against his heart, to urge her majesty for some certainty in, and that account may be made, and times of payment assigned."

A.D. 1597.

Moyſes.

Bothwell, after his eſcape out of the caſtle of Edinburgh, reſided with his friends upon the borders; but, notwithstanding the ſevere proclamation againſt correſponding with him, he was underhand aſſiſted and encouraged by the principal perſonages at court, and the lord Hume appeared openly in his company. He had even the infolence to approach the gates of Edinburgh, while he knew James was at Falkland, and to proclaim at the head of a party of horſe a reward to any one who would put the perſon of the chancellor in his hands. The latter knew his danger, and complained to James that Bothwell's infolence was favoured by the earls of Marſhall, Morton, and Errol, the maſter of Glamis, and many others. James hurried to Edinburgh, and ordered a force to be levied againſt Bothwell; but in the mean while he committed the earl of Marſhall priſoner to the caſtle of Edinburgh, and the maſter of Glamis to that of Blackneſs, while the lord Hume and Buccleugh, who was Bothwell's ſon-in-law, had licences to go abroad.

unſucceſſ-
ful.

While James thought that by thoſe vigorous meaſures he was living in ſure tranquillity, he was upon the brink of loſing his liberty. The duke of Lenox privately hinted to Bothwell that he would give him, and his moſt deſperate followers, admittance within the walls of the palace, where he would be joined by others; and that it would be eaſy for fifty men to ſur-
prize

prize the persons both of James and the chancellor. Bothwell embraced the proposal; and while James was at supper, the court of his palace was filled with armed men, and he had just time to escape to a tower, which was, it seems, a place of some strength. The chancellor's apartments were beset, and he escaped by a private communication into those of the queen; but the conspirators would probably have succeeded, had not Sir George Sandilands, a gentleman of the bed-chamber, alarmed the citizens of Edinburgh, who poured down in such numbers to rescue the king, that the conspirators were beaten off, and eight or nine of them were executed next morning without any formality of law. Several of the king's domestics, his surgeon particularly, were afterwards proved to be principally concerned in the conspiracy; but though they were imprisoned, they were set at liberty, as were the earl of Marshall, and the master of Glamis.

It was generally supposed that the earl of Bothwell fled to the north; and it was rumoured, that his kinsman, the earl of Murray, was present with him at his attempt upon the palace. The chancellor advised James to employ lord Ochiltree to bring Murray to court, that he might be reconciled to Huntley; but James was so prepossessed against Murray, who was then at his mother's house at Dunbirrell, which stands on the north banks of the Forth,

1592.
Murder of
the earl of
Murray.

A. D. 1552. Forth, that he gave Huntley a commission to bring him to a trial, and if needful to apply force for that purpose. Huntley was so keen to execute this order, that he neglected to take it from James in writing, till his friends put him in mind of his danger; and Gordon of Buckie went back to Edinburgh, and procured a writing from the chancellor, but of what nature is doubtful; for it was thought to be a warrant for putting Murray to death. Huntley and his friends crossing the Forth in boats, found Murray prepared to defend himself, and some of Huntley's attendants were wounded. Upon this, the Gordons, who were a hundred and twenty stout men, and well-armed, set fire to the house, and Murray's followers surrendered themselves prisoners; but he himself endeavouring to escape to a boat, was discovered, overtaken, and barbarously murdered. Though I have given the history of this tragedy, as represented by the historians of the Gordon family, who do not materially differ from Spotswood's account, yet there is ground to suspect that the murder of Murray was premeditated. Dunbar, the sheriff of Murray, was killed at the same time. When the catastrophe was over, Huntley dispatched Buckie to acquaint James with what had happened; but the news having reached Edinburgh before his arrival, the public was so exasperated, that he was obliged precipitately to

to leave the town, upon which Huntley retired northwards; but captain Gordon, one of his chief followers, whom he had left behind him wounded, was brought to Edinburgh, and beheaded next day.

A. D. 1592.

Balfour, in his Manuscript Annals, says, it was publicly talked that James was jealous of the earl of Murray, who was one of the handsomest men of his age*, because the queen some days before had launched out in his commendation; on which account he privately ordered Huntley to murder him. That James was capable of giving such an order cannot be doubted; but I question greatly whether he was susceptible of jealousy. The subsequent part of this tragical affair gives great colour to Balfour's report. The fury of the people was so great, that James, in a manner, fled to Falkland, and from thence to Glasgow, where he gave orders for Huntley to be tried, and in the mean while to be confined in the castle of Blackness. The historians of the Gordon family say, that when the day of the trial came, no prosecutor appeared; and upon his finding surety to stand his trial when called upon, he was set at liberty. Balfour says, that on the

Motives for the same.

mss.

* He was distinguished by the epithet of the Bonny (that is beautiful) earl of Murray; and a ballad composed at the time, which still remains, under that title, and has been published by Mr. Percy in his Reliques of Ancient Poetry, gives some countenance to Balfour's report, that the queen beheld him with no unfavourable eye.

A. D. 1592. thirteenth of March, a royal proclamation was published, inhibiting the young earl of Murray to pursue the earl of Huntley for his father's slaughter, in respect he being warded in the castle of Blackness for the same murder, was willing to abide a trial, averring that he had done nothing but by the king's majesty's commission, and so was neither art nor part in the murder. Upon the whole, it is admitted on all hands, that James interposed to prevent Huntley from taking his trial; a conduct that very justly gives rise to the blackest suspicions.

**Affairs of
the clergy.**

Among the other relaxations of government, was the non-execution of the late acts and proclamations against papists. In the parliament which met in June, the clergy petitioned, that the act for annexing the ecclesiastical revenues to the crown might be repealed, and that no dignified clergyman should from thenceforward sit in the parliament; but some severe votes passed against acting priests and jesuits, though qualified in such a manner, as left it in the king's breast to see them put in execution or not. The act of parliament made in 1584 against the discipline of the church, was repealed, and the discipline then in practice was ratified, but greatly to the dislike of James, who thought that the scale of the clergy thereby acquired too great a weight of power. He was, however, obliged to give
way

way to the temper of the times, which was so violent, that the clergy endeavoured to abolish the act for confirming the royal authority, or rather the king's power for controuling the clergy ; but though they did not succeed in this, it was declared, " That the said statute should be no ways prejudicial nor derogatory to the privilege that God hath given to the spiritual office-bearer in the church, concerning heads of religion, matters of heresy, excommunication, collation, or deprivation of ministers, or any such essential censures grounded, and having warrant of the word of God."

A.D. 1592.

Calder-
wood, p.
268.

Calderwood, who may be safely trusted on this head, informs us, that a committee of the assembly was " appointed to go immediately to his majesty, and to admonish him gravely, in name of the Eternal, to have respect in time to the estate of the true religion, to the many murders and oppressions daily multiplied through impunity and lack of justice, and to discharge his kingly office in both." From the same author we learn, that the assembly issued a commission for prosecuting the earl of Huntley ; that all the concessions made to the church in this parliament were obtained through the chancellor, to avert the effects of the public odium, for the part he had acted in the earl of Murray's tragedy. Before this parliament rose, the earl of Bothwell was again forfeited ; and many of his friends, the earl

A. D. 1592. of Athol, and the master of Gray particularly, were prosecuted for sheltering him. Notwithstanding this, so great was the public hatred of the chancellor, that Bothwell appeared publicly in many parts of the kingdom, and again attempted to surprize the king's person.

In this he was encouraged by the earls of Angus and Errol, the master of Gray, colonel Stuart, and other persons of rank and credit at court, who were to open the gates of Falkland palace, and give him admision by night. In this they failed ; and Bothwell, who had come to the place appointed with about three hundred * horsemen, but faint and fatigued with their long march, with great difficulty made his escape. The inhabitants of the neighbouring towns taking the alarm, and pouring into the king's assistance, about eighteen of Bothwell's followers were taken in the pursuit, and executed at Edinburgh ; but he himself escaped to the west borders, and afterwards threw himself into England, where he opened a new scene, which shews him to have been a man of no mean abilities. It does not properly belong to this history to make particular mention of all the persecutions carried on against Bothwell's

Unsuccessful attempt of Bothwell.

* Spotswood makes them but a hundred and twenty, and Moyes says, that James having previously discovered the plot, retired to a fortified tower, from whence he fired upon the conspirators. He adds, that they could not be immediately pursued ; for being borderers, they had broke open the stables, and carried off the horses in the neighbourhood.

friends.

friends. It is sufficient to say, that though many were convicted, few or none suffered, the queen openly taking their part, and interceding for them with her husband, who had neither the power nor the inclination to punish them. He raised indeed a body of men, and marched to Dumfries in pursuit of Bothwell; but when he came there, he found that nobleman so popular, that he was obliged to publish a general pardon to all his followers who were willing to return to their duty.

The Spaniards, notwithstanding their frequent disappointments, had never laid aside entirely their scheme of invading England through Scotland; and what is still more extraordinary, the popish earls of Huntley, Angus, and Errol, seemed to be as willing as ever to join them. The earl of Angus had been lately imprisoned on account of his connections with Bothwell; but had been delivered through the queen's intercession, and restored to such favour, that he was sent northward, with a commission from James to quiet the disturbances of the north, which had arisen between the Gordons and the Clan Cattan, and the other friends of the earl of Murray, which he performed with great success. While he was executing this commission, Mr. George Ker, brother to the lord Newbottle, was discovered on board a ship bound for Spain, and sent prisoner to Edinburgh with all his papers. At first he de-

A Spanish
plot breaks
out.

A. D. 1592. **nied** the whole charge that had been brought against him; and the commissioners sent to examine him were unwilling, on account of his birth, to put him to the torture. James hearing of this, was offended with the commissioners, and ordered peremptorily that he should be tortured; but upon the first or second stroke of the boot wedges, Ker's constancy failed him, and he made the following confession:

Moytes,
Spotswood.

1593.

“ That upon a letter sent from Mr. William Creighton the jesuit, then residing in Spain, and assurance given of the king of Spain's aid for the alteration of religion, Mr. James Gordon and Mr. Robert Abercrombie, jesuits, had devised to send one to Spain, to certify the king of the concurrence of the Scottish catholics in his service; and that, for the greater secrecy, the three forenamed earls should undertake for the rest, and by their letters testify the same. That this being proponed to the noblemen, they did willingly consent, and accordingly set their hands to eight blanks, six whereof were to be filled as missives from them to the king of Spain, and the two other with procurations, one for the messenger's credit, the other for the articles that should be drawn up in Spain. That the filling of the blanks was trusted to Mr. William Creighton and Mr. James Tyrie; and that Sir James Chisholm, one of the king's master households, was first chosen to be carrier of the blanks; but that he being impeded through
some

some private business, they were delivered to him subscribed in the month of October, he being then in Edinburgh." He farther declared, "That by conference at the same time with the earls of Angus and Errol, he understood that the king of Spain was to send an army of thirty thousand men into Scotland, whereof fifteen thousand should remain in the country, and with the assistance of the catholics either alter the present religion, or procure liberty to their own profession: and that the rest of the army should invade England, being conveyed thither by the catholic lords, who were to meet the army at their landing, which was appointed to be either at Kirkudbright in Galloway, or in the mouth of Clyde."

Though Spotswood has gravely delivered this confession, without seeming to make the least doubt of its truth, yet it is absurd and ridiculous to the last degree. The story of the blanks is an unmeaning forgery; and though Dr. Robertson says, that torture was only threatened to Ker, it certainly was applied to him in the manner above-mentioned, as is plain from the evidence of Moyse and Ker's own letter, which he afterwards wrote to Gordon of Auchindown; and in which he disclaimed the whole of his confession, after he was set at liberty. The crown of Spain was at this time unable to have furnished five thousand men, far less thirty thousand, as is mentioned in the

A. D. 1593.

Disproved.

Nº. 2.
Appendix
to the Hist.
of the
House of
Gordon.

con-

A. D. 1593. confession, upon any invasion of England. Elizabeth's fleets were victorious on every sea; and she was ruining the Spanish commerce in its most essential branches. The whole of the accusation seems to rest upon the wrong-headed practices of Creighton in Spain, where he had got into some favour with the Catholic king, and had prevailed with Ker to forge or obtain the blanks, for other purposes.

Historians who write of those times, seem to adopt the confessions of prisoners as so many truths, without reflecting, that under the fear of pain and torture, they ought to have no kind of validity. As all cowards are cruel, James had perpetual recourse in all matters concerning his own government to the practice of torture, without the smallest remorse or reluctance. It is therefore in vain to urge the confession of David Graham of Fintry as corroborating that of Ker, because Graham, had he not made it, must have been tortured likewise, and he chose to die easily by being beheaded.

The earl of Angus, when he returned to Edinburgh, being ignorant of the discoveries made by Ker, Graham, and others, instead of receiving thanks for the late eminent services he had performed, was sent prisoner to the castle of Edinburgh; but denied every particular of Ker's plot, and maintained that the whole was an infamous conspiracy to ruin the Roman
catho-

catholic nobility in Scotland. The credit of the plot, however, was strenuously supported by Elizabeth's ambassador, Bowes, and a fresh proclamation was issued against Bothwell. That nobleman's penetration soon discovered, that though he was employed, he was not trusted either by the popish lords, or by the party in opposition to the chancellor; and he made his peace with Elizabeth, by discovering all he knew of the former's correspondence with her enemies. The discoveries made by Ker (for that some letters had passed upon the occasion is undeniable) gave great sanction to Bothwell's information; and she ordered the lord Burgh to go to Scotland, and second the solicitations of Sir Robert Bowes, in bringing the popish, or, as they were called, the associated, lords to justice, and annexing their estates unalienably to the crown.

The situation of James at this time is hardly to be described. His timidity and irresolution drove him to flatter his clergy, and seemingly to comply with the voice of his protestant subjects, which now demanded the punishment of the conspirators, whom he was, notwithstanding, secretly resolved to pardon. He trembled at the very name of Bothwell, not only for his treasons and turbulence, but for his supposed necromancy. His queen now openly headed the enemies of the chancellor, because he detained an estate which she said was parcel of the

A. D. 1593.

Situation of James.

A.D. 1593.

Spotfwood.

the abbey of Dumfermling, her jointure. James detested Elizabeth, who he knew had received Bothwell into her favour; and he dreaded giving audience to the new English ambassador, because he expected him to insist upon an immediate decisive answer, with which his non-compliance would endanger, if not forfeit, his pension from Elizabeth. He consulted his clergy; and by their interest, his protestant subjects offered to raise him a guard of three hundred horse, and a hundred foot for his own person, provided he would march northwards with an army, in pursuit of the three popish lords; for Angus had by this time escaped out of prison, by the connivance, I am apt to think, of James himself. James followed this advice, without waiting for the arrival of lord Burgh; and charging all his subjects on the north of the Forth to join him, he arrived at Aberdeen on the twenty-second of February, six days after Graham of Fintry had been beheaded, for his concern in the plot, at Edinburgh. Upon his arrival there, he held a justice court, rather for form than business, and he received into-favour all who gave security for their good behaviour. The three popish lords still kept the field, but without committing any hostilities; and James privately gave their wives assurances of safety, if they would surrender themselves to their trial. In short, James found all the northern parts of his kingdom in perfect tranquillity, and
having

having made the earls of Marshall and Athol his lieutenants there, he returned to Edinburgh about the middle of March. A. D. 1593.

The lord Burgh at this time was arrived in Scotland, and James could no longer defer giving him an audience. The reader in the notes * He gives audience to the English ambassador.

* “ While his majesty was in those parts, according to the information which came before his majesty took his journey, an English ambassador came to Edinburgh, who was a nobleman called lord Barroch (Burgh); and after his majesty’s return to Edinburgh, which was about the 10th of March 1592, he had audience of his majesty, when he delivered his letters, and conferred a certain space with the king. The purport of his commission was, That in respect of the banner taken up, and enmity professed by the king of Spain, and his adherents of the league, against this island of England and Scotland, and all that profess God’s true religion, it would therefore please his majesty to denounce war by his herald or ambassador, against the king of Spain. Secondly, That such as were apprehended and fugitate for this late conspiracy, with such others as the ambassador should name, should be prosecuted and punished with all rigour and extremity. Thirdly, That the league of amity passed betwixt the two kingdoms might be renewed.

“ These propositions were made by the said ambassador to his majesty and council present for the time with his highness, in his own lodgings. To which, answer was made by Sir Robert Melvil of Mordecairny, knight, treasurer, depute, according to his majesty’s direction, as follows:

“ To the first anent the denunciation of war against the king of Spain, he answered; That such occasion was not offered, seeing the said king remained our confederate friend, in such sort, that the whole subjects of this realm had free passage and trade, at their pleasure, within his realm and dominions: and, in case he intended to land any forces in this country, in order to invade England, (as he had good cause to do for the many wrongs he had received of the queen of England and her subjects) he would give in pledges that we should thereby receive no harm; and if it pleased his majesty, our master, to receive money, good deed and perpetual friendship, in return for such liberty and permission to pass through our country, it should be heard; calling herewith to remembrance, That at the time the Spanish navy was making for England, there was an ambassador sent here, craving

A. D. 1593. will find from Moyſes a curious, and ſeemingly authentic account of the written part of this negotiation, which we meet with in no other author; but I am inclined to believe, that the answer given in by James was drawn up after he deſpaired of obtaining any money from Elizabeth. Burgh, in his audience, had inſiſted that the eſtates of the traitors ſhould be conſiſcated. James replied, that the conſpiracy was ſo ſtrong, that he could not ſuppreſs it without a ſupply of Elizabeth's money; and that ſhe was more concerned in defending Scotland, than ſhe was in proteſting France or the Low Countries againſt the power of Spain. Next audience, Burgh interceded for the pardon of Bothwell, (who was then lurking in Edinburgh) to which James gave a ſpirited negative; but promiſed that the trial of the popiſh lords ſhould take place, and to ſend an embaffador of his own to Elizabeth.

our aſſiſtance in withſtanding theſe ſtrangers to land in this iſland; and who, for that ſervice, in the name of her majeſty and council, offered to nominate the king's majeſty our maſter, ſecond perſon of England; to make him prince of Wales; and many ſuch fair offers were made: but ſeeing God fought the battle, and diſappointed that enterprize, thoſe offers were paſſed from, and his majeſty thereby ſcoffed, by alledging, that that ambaffador had tranſcended the bounds of his commiſſion, and merited to be hanged.

“ It was answered to the ſecond, that his majeſty was a free prince, and would receive no direction from the queen of England to uſe his own ſubjects with rigour or clemency; and ſo as it pleaſed him he would do in that caſe.

“ It was answered to the third, that the league of amity needed no renewing; for there was no breach thereof as yet, but the ſame ſtood effectual. With theſe answers the English ambaffador departed homeward about the tenth or eleventh of April 1593.”

This negotiation gave Elizabeth so little satisfaction, that she threatened to bring the associated lords, as she had done Bothwell, into her party against Spain ; but while she was perplexed how to behave, Sir Robert Melvil appeared at her court as ambassador from James. He was instructed to demand money for levying six hundred soldiers, and that Bothwell should be given up, according to the treaties between the two crowns, which suffered neither prince to harbour the rebels of the other. Elizabeth had too good intelligence not to see that James made use of the pretext of prosecuting the associated lords, only that he might touch her money ; and as to Bothwell, he continued still in Scotland secreted by the English ambassador.

A.D. 1593.
Sends an
ambassador.

The party formed against the chancellor was now become so strong, that Elizabeth found he could do her no farther service ; and she neglecting him, he retired to his estates in the country, where he was privately visited by James, to the great disquiet of the other counsellors. The queen, from private conversation between them, found that James certainly would recall him to the council-board ; and that the chancellor, to make a friend in the queen, had resigned to her the disputed estate. This coming to the ears of the duke of Lenox, the earl of Athol, the lord Ochiltree, and other enemies of the chancellor, they resolved

Meytes.

Bothwell
again intro-
duced at
court.

A. D. 1593: to introduce Bothwell into the royal presence. The countess of Athol accordingly brought him and his companion, Colvil, unperceived by any, through a postern-gate into the king's bed-chamber. James, upon seeing them, called out treason; but they laid their swords at his feet, and fell upon their knees. According to Spotswood's relation, James threw himself into a chair, and offering his breast, ordered the traitors to strike, because having been dishonoured by their presence, he did not desire to live longer. While this scene passed, the earl of Mar and Sir William Keith entered the room; and about three hundred of Bothwell's party had taken possession of the outer courts of the palace. The people of Edinburgh took the alarm; and came with their provost, Sir Alexander Home, at their head, to rescue their sovereign; but James, by this time, easily perceived that Bothwell was only the instrument made use of by his queen, the duke of Lenox, and his other great lords, to prevent the return of the chancellor; and by the earl of Mar's advice, he shewed himself at the window, where he desired the citizens to retire, and wait his farther orders. Such, in substance, is archbishop Spotswood's account of this amazing revolution at the court of Scotland. As the archbishop probably had it from the king himself, we may easily imagine it to be drawn up in the most favourable light for his

his majesty's character. Calderwood relates it in a very different manner; for he says, that when the king wanted to retire into the queen's chamber, it was locked; and that he was instantly beset by the duke of Lenox, the earl of Athol, and the other conspirators, who went between him and the door, and interceded for Bothwell. By all accounts, the latter behaved with great address as well as resignation to his majesty; for he humbly asked pardon for his real offences and treasons, but offered to take his trial upon the charge of necromancy and consulting wizards. The English ambassador was privy to the whole transaction; and when the king's panic began to abate, he presented the following articles to be signed by him.

A. D. 1593.
The king
pardons
Bothwell.

“ First, That remission should be granted to Bothwell, his friends and partakers, for all attempts against his majesty's person and authority in any time past, and promise made never to call or pursue him and his forefairs for any by-past fact; as likewise to repossess them in their houses and lands, notwithstanding whatsoever process laid against them.

“ Second, That a parliament should be called in November next, and such an act past in his and their favours, as was made at Linlithgow, Anno 1585, for their greater security.

“ Third, That during that time, the king should not receive in his company the chancellor,

A. D. 1593. lor, the lord Home, the master of Glamis, and Sir George Home, knight.

“ Fourth, That from henceforth, the earl of Bothwell, his friends and followers, should be esteemed as good and lawful subjects, and used with as much favour as if they had never offended.”

Aug. 14.
Influence of
the clergy.

Those articles were signed by James, and such of his privy-counsellors as were friends to Bothwell, together with the magistrates and ministers of Edinburgh. Soon after, Bothwell took his trial upon the charge of witchcraft, and was acquitted on the tenth of August by the unanimous voice of his jury. Notwithstanding this, such was James's dread and abhorrence of Bothwell, that he obliged him to leave the court, till his attendance should be required. The greater concessions James made, the more he was determined to retract them. The clergy had this year obtained an act of parliament, by which those who contemned the censures of the church were declared to be outlaws. James had been constrained, by the necessity of the times, to pass this act, which armed his clergy with powers so formidable, that he was more than ever resolved to pardon the associated lords, or, perhaps, still to go farther lengths with the court of Spain. He received the countess of Huntley at his court with great affection and respect, till she was driven from it by the clamour and power of the

the

the clergy; and when he was at liberty to follow his own inclination, he treated all the charge against the associated lords as a forgery. He spent some days at his usual diversions; but took care to form such a party of Bothwell's enemies, as should in the next convention disengage him from the shameful obligations he had laid himself under. His indignation was heightened by the gross affronts which the clergy were daily offering to his authority. They even presumed to threaten excommunication to all merchants trading with Spain; and they actually excommunicated the earls of Huntley, Errol, and Angus, by which they became outlaws.

Though James continued to be beset by Bothwell's faction, yet they did not think it safe to controul him; and having, on pretence of regulating the affairs of the borders, summoned a convention to meet him at Stirling, he declared to the members the circumstances under which he had been forced to enter into the late compromise with Bothwell; and they declared it to be dishonourable, and not binding to performance. Upon this, an act was passed, "That his majesty, with the advice of the estates, had recalled the grant made to Bothwell in August last; and that being a free prince, he might use the service of any of his subjects, and call them to him at his pleasure." Notwithstanding this act, he offered a pardon to

A.D. 1593. to Bothwell, provided he would sue for it as a suppliant, and leave the kingdom, never to return without his majesty's licence.

James re-
tracts his
pardon.

The lord Hamilton, the earls of Mar, Morton, Glencairn, and Montrose, with the lords Lindsay and Levingston, were members of this convention; and however they might hate the chancellor, they disdained that their king should be enthralled by a traitor, and English influence. James, fortified by this consideration, resolved to act with greater independence than he had done heretofore; and in a journey he undertook southwards, the three popish lords threw themselves at his feet, and desired to be admitted to a trial. James affected to treat them with great roughness; and they were ordered to surrender themselves prisoners within the town of Perth, and to remain there till they should be tried. Though James was at great pains to clear himself with his clergy and the English ambassador, from any previous knowledge of this interview, yet they were of a very different opinion. The clergy assembled the protestant laity at Edinburgh, and drew up a formal remonstrance against all that James had done, desiring, with great effrontery, that the three noblemen being outlaws by the excommunications, they might have no benefit of a trial, while they continued papists. They concluded with a kind of a menace to James, if he did not pursue the lords
to

to the uttermost, which we are minded to do, A. D. 1593. although it should be with the loss of all our lives in one day, being fully resolved, if they continue enemies to God and his truth, that the country shall not brook them and us together."

James lost his temper when he read this insolent paper, which tended to wrest the sword of justice out of his hand; but on finding the messengers steady to their purpose, he grew more cool, and promised to take the advice of his states; but refused to give any answer in writing, though much pressed to it by the commissioners who had been sent to him from the assembly at Edinburgh. When the latter reported the success of their commission, their constituents were so much enraged, that they resolved to assemble in arms on the day and at the place appointed for the trial of the lords, and declare themselves their prosecutors. When James reasoned with them upon this violent resolution, which was directly contrary to law, all the answer he obtained was, "That it was the cause of God, and in defence thereof they could not be deficient." James issued a proclamation against any tumultuous meetings, and endeavoured to satisfy his subjects as to the equity of his proceedings. Notwithstanding this, the people flocked in arms from all quarters to Edinburgh; so that the convention which had been summoned there was but thin.

A. D. 1593. The chancellor was present; and by his management, the trial was referred to a committee of the states, whose sentence was to be as valid as if it had passed in parliament.

Johnston. After some deliberation, the duke of Lenox, the chancellor, the earl of Mar, lord Levingstone, of the nobility; the lairds of Bass, Balvaird, Abbotshall, and Tullibardin, for the barons; and the commissioners from Edinburgh, Dundee, Stirling, and Cowper, for the burghs, were appointed to be the final judges of the delinquent lords. According to the best evidences that have come to my hands, they were acquitted of being concerned in the blanks and subscriptions destined for the court of Spain, and pardoned, as to their goods, fame, and honours, upon their embracing protestantism, and their dismissing all Romish priests and jesuits from their company before the first of February ensuing. According to Johnston, a meeting of the nobility was likewise held, (though I am apt to think it consisted only of the commissioners appointed by the states) who emitted a proclamation in the king's name, ordering all papists to quit the kingdom before the first of February, "never to return, unless they embrace the protestant religion."

Commo-
tions in Scot-
land.

Though James had endeavoured, by many concessions to his clergy, to reconcile them to this moderate conduct, yet he did not succeed;
and

and he was himself as unfortunate in his attempts to make profelytes of the lords to the protestant religion. The commotions that happened at this time on the borders between the lord Maxwell and the baron of Johnstone, the former of whom was killed in an engagement, for some time diverted the public attention; and on the nineteenth of February the queen was brought to bed of a son. A convention of the states were then sitting; and declared, that the earls of Angus, Huntley, and Errol, had forfeited the benefit of the late pacification, by their continuing obstinate papists. They were ordered to enter themselves prisoners into different forts, but none of them gave obedience.

A. D. 1593.

1594.

Elizabeth was highly offended at the lenity shewn by James towards the popish lords. The clergy had unanimously protested against it; and she renewed her ancient policy of sending an ambassador (lord Zouch) to Scotland, to form a confederacy with the reformed there, for the support of religion, and their mutual defence. Zouch's instructions have been printed by Mr. Rymer; but are too long to be inserted here. They were bold, insolent, and offensive to the dignity of an independent prince. They treated James as Elizabeth's pensioner; and peremptorily required him to give his oath that he would bring the associated lords to a trial. If James evaded that demand, Zouch was to

Insolent
embassy of
Elizabeth
to James,

Rymer,
vol. xvi.
p. 225,
229.

A. D. 1594. insist upon an audience before the privy-council, and chief nobility of Scotland; and after a long harangue concerning Elizabeth's friendship, and her danger from the practices of Spain, to make a declaration, which fell little short of a threatening to come to hostilities, James, at the time of this embassy, was soured with Elizabeth, for having evaded all his applications for money; and he resolved to try what an appearance of spirit and resentment might effect.

who resents
it;

Before Zouch set out from England, Elizabeth, as usual, sent down a private agent, one Aston, to concert the confederacy between her and the heads of the reformed, whom she promised to assist, if needful, with an army. It does not appear, that James knew of this negotiation; but Zouch was instructed to proceed according to Aston's report. James chose to give audience to Zouch and Bowes, who still remained in Scotland, before his nobility; and they demanded, as a preliminary to any farther treating, that the three earls should be imprisoned and brought to a trial. James consented to this; but Zouch insisted upon having a promise in writing. This insolent demand threw James into a seemingly violent passion. He said, that Elizabeth treated him as her deputy, and not as an independent prince; and that the difference of their ranks alone prevented him from requiring from Zouch a personal

sonal satisfaction. He then repeated his demand of assistance from Elizabeth ; and that Bothwell should be delivered up. Both requests were evaded by the ambassadors. “ Therewith, says Zouch in his narrative, in some warm choler he (James) admonished us to examine our safe-conducts granted by him ; declared, that it was implied and meant, that we should not transgress the laws against his realm ; neither could the privilege of an ambassador deliver him from punishment for any sedition stirred by him : herein his sharp warning shewed his severe mind to lay on us the uttermost pain, which, for any crime in us, might be lawfully inflicted on us, which we lightly esteemed and passed over, so as for that time, after urging to have set down something certain how they meant to proceed, and what time it would take.”

James could not long keep up to the spirited character he had assumed. His pressing wants, as well as his pusillanimity, made him descend to solicitations for money ; but the ambassadors told him he was to expect none, unless he entered upon vigorous measures against the associated lords. If we are to believe the report of lord Zouch, the lord Hamilton offered, at this time, to enter into Elizabeth’s views, and even to betray to her the castle of Dumbarton for a sum of money. The chancellor likewise offered her his services ; but the proposals of both

but he
cools.

A. D. 1594. both were rejected, as being made only for pecuniary purposes. James, at last, gave the embassadors a promise in writing that he would prosecute the associated lords to the utmost, provided Elizabeth would restrain the earl of Bothwell from his rebellious practices in Scotland, and remit him money to raise an army against the lords.

A fresh association in Scotland.

Elizabeth promised him all kind of security against Bothwell's practices; but evaded his demand of money, till she should be better convinced of his sincerity. The negotiation being thus at a stand, the lord Zouch returned to England; and Bowes, whom he left behind him at the court of Scotland, tampered so effectually with the clergy, that they openly espoused Bothwell's cause, and even applied the money which had been collected for the support of the reformed church of Geneva, to raise men for a new insurrection. Bothwell was joined by the earls of Argyle and Athol, and the rendezvous was appointed to be at Leith. They gave out the reasons of their arming to be, that they might effect the banishment of the popish lords, and bring the murderers of the earl of Murray to public justice. James learned, through one of his own domestics, the unwarrantable practices of Bowes, and discovered such resentment, that the latter left his court without taking leave.

By

By this time, Bothwell, at the head of four hundred horse, had, by forced marches, taken possession of Leith; and James, who knew that his own person was in no kind of danger, behaved with a shew of resolution and magnanimity. He ordered the lord Hume to attack Bothwell, who marched towards Burrowmoor, near Edinburgh. Hume was defeated; James kept the field; and Bothwell dismissed his followers, though he might easily have made himself master of the king's person. James sent two ambassadors, the lord Colvil and Mr. Edward Bruce, to Elizabeth to complain of Bowes, in whom he said he had seen nothing but pride and wilfulness; "and that therefore denying to give him any answer, he chused to send the same by his own messengers; whom he desired her to credit as himself in all that they had in charge to deliver." For Bothwell, (he said) "That he wondered how, notwithstanding of the many solemn promises made as well by her ambassadors as by letters of her own hand, that he should have no harbour within her country, yet was he not only sheltered by her people, but suffered to reside in some of her proper houses, and had received a good sum of English money, wherewith he waged both Scots and English in this late treacherous attempt. To think this was by her direction or privity he would not, so far it was against all princely honour: on the other part, that she being so wise and

A. D. 1594.
A new attempt of Bothwell, who is defeated.

A. D. 1594. and prudent a prince, and having so long and so happily governed her kingdoms, should be so slighted and contemned by a number of her subjects, as that such things should be done without her knowledge, it could hardly be believed. Wherefore leaving it to herself to solve these doubts, he would only remember her of the promise made at the delivery of Orwick, an Irish rebel, and desire her not to put him in a balance with such a traiterous counterpoise, lest he should be constrained to say with the poet, "*Flectere si nequeo superos, Acheronta movebo.*"

Baptism of
the prince
Henry.

The birth of a son to James had at this time altered the complection of his interest at the court of England for the better; and the shew of resolution he put on, prevailed with Elizabeth to give his embassadors a very favourable reception. She promised him a supply of money; and she ordered a proclamation to be issued against harbouring Bothwell in her kingdom. Bruce remained at her court; and Colvil repaired to that of France, to desire that monarch to assist at the baptism of the prince of Scotland. Embassies (to which James was always a great friend) were sent for the like purpose to Denmark, the dukes of Brunswick and Mecklenburgh, and the states-general. Elizabeth, at the request of James, nominated the earl of Cumberland to represent her person at the prince's baptism; but that nobleman

nobleman falling sick, the earl of Suffex was substituted in his room, and furnished with a noble present to the prince on this occasion.

A. D. 1594.

The parliament of Scotland was then sitting, and had ratified the excommunication of the popish lords; but nothing could quiet the suspicions of the clergy with regard to popery. The most trifling accident awakened their jealousy; and a deputation was sent from the assembly with a most impudent remonstrance upon the dangers of the kingdom, in which they prescribed to James the most severe measures against the popish lords and their followers, and expressed great concern at the arrival of a little bark from Spain at Montrose. Not contented with this remonstrance, they railed against James and his courtiers from their pulpits; and nothing certainly could be more undutiful than the whole tenor of their behaviour. It was in vain for James to remonstrate against those breaches of their duty, as subjects. The reader will find in Calderwood a curious apostyle, which James gave to their complaints, which is omitted by Spotswood, and which shews how well versed he was in chicanery and equivocation. He complained, with reason, of his clergy's undutiful behaviour, and insisted upon having satisfaction for the rebellious sermons of two of their members. They gave him a slight satisfaction as to his last demand; but he insisted, "That by act

Proceedings of the Scotch parliament.

Spotswood.

P. 301.

A. D. 1594. of assembly, ministers should be ordained to dissuade, both by public and private exhortation, their flocks from concurring with Bothwell in his treasonable attempts, or any other that should make insurrection against the authority established by God in his majesty's person." This demand was complied with; but the meeting of the parliament was very thin, no more than three earls and six lords being present. The affair of the blanks was again publicly discussed; and the popish lords pretended that they were only designed for private affairs, (which indeed seems to have been the truth) and designed to have been filled up by their agents abroad, as charges for money advanced by them to priests and jesuits, on account of the king of Spain. Notwithstanding this allegation, a sentence of forfeiture was lodged against the three earls, and Gordon of Auchindown. Their arms were torn by a herald, and they were declared to have lost their honours, lands, and estates, for treasonable practices against the king and their native country. James made a great merit of this with Elizabeth; and after the baptism of his son, at which the foreign ambassadors of all the states and princes he had invited, excepting Henry the fourth of France, who was then too poor to maintain a minister, assisted; he sent Sir Richard Cockburn as his ambassador to England, to solicit for a supply of money, as he

Bothwell
deserts the
Spanish
party.

he had now given sufficient evidence that he was determined to act with vigour against the popish lords. Some money was remitted to James; but Bothwell perceiving he was given up by Elizabeth, joined Huntley, Errol, and Angus; and after receiving some money from Spain, they resolved to secure the person of James, who had given a commission to the earls of Argyle and Athol to suppress the associated lords. Argyle at first refused to act; but was persuaded by Bruce the clergyman to besiege the castle of Ruthven, which being bravely defended he could not take, and marched to join the lord Forbes, and the other antagonists of the Gordon family in the Lowlands. Before the junction could be effected, he was attacked at Glenlivet by the earls of Huntley and Errol, with no more than a thousand men; and though his army consisted of near ten thousand, he was defeated, with the loss of seven hundred men; but the Gordons suffered severely in the combat. James was at this time advancing slowly with an army to the assistance of his lieutenants; but Huntley and Errol after their victory retired from the field, lest they should seem to oppose the king's person. James finding no enemy in the north, took recognizances of all he suspected; and returning southward, he left the duke of Lenox his lieutenant by north the Tay.

A.D. 1594.

Bothwell
leaves the
kingdom.

The historians of the family of Gordon, with too great an appearance of reason, say, that James was secretly pleased with the defeat of Argyle, who was but a very young man, and had undertaken the service on the prospect of being rewarded by Elizabeth. James, however, marched northwards, and was obliged to dismantle some of the houses belonging to Huntley and Errol; but in the mean while he gave a private remission to Huntley for his rebellion. Elizabeth thinking that James was now in earnest, ordered Bothwell to leave her dominions. He came northwards; and James, in concert with Huntley, winked at his associating himself (which he openly did) with the popish lords, that he might ruin his credit with the presbyterian clergy. Mean while, the associated lords offered to leave the kingdom, not to return without the king's licence, and to give security that they would enter into no practices abroad against James or his dominions, which was agreed to. This compromise left Bothwell, who had embraced and betrayed all parties, in a miserable situation. He was abandoned even by his friend Colvil; and his brother, Hercules Stuart, was beheaded at Edinburgh. Bothwell upon this fled to France; and James never thinking himself secure while he lived, demanded of Henry the fourth that he should be delivered up, or banished his kingdom; but

but Henry evaded the demand. He was, however, expelled France for his turbulence, and he fled to Spain, where he received a small pension; but he died in obscurity after a variety of romantic adventures, particularly throwing a mistress he kept out of a two pair of stairs window.

The flight of Bothwell restored Scotland to some degree of tranquillity; and in an assembly of the church held this year at Montrose, James attempted to check the wanton use of excommunications, which, in fact, rendered the royal authority a cypher in government. The answer of the clergy to his applications was, that they were willing to discontinue the practice of summary excommunications, unless the church was in danger. This gave no satisfaction to James, because they made themselves judges of the danger.

The character of Anne of Denmark, wife to James, is unaccountably overlooked by the historians both of England and Scotland. She was an insolent, unprincipled woman, mercenary and vindictive; but so cunning, that no hold could be laid on her practices. She was even in fee with the church of Rome; and the Roman catholics had great dependence upon her influence with James. The heads of the family of Mar had for some years been deemed tutors to the infant princes of Scotland; and James had committed the custody of his son to
the

*Intrigues of
the queen.*

A.D. 1595. the then earl. The queen thought it was of importance that she should have the prince under her own guardianship. She leagued herself with the chancellor, with whom she had always before lived at enmity, and other counsellors, to obtain her ends. She seems at this time not to have been upon good terms with James, which I am apt to think was owing to her own intrigues, for he was naturally fond of quiet. He heard of the design she had formed to take her son out of the earl of Mar's hands. He paid her a formal visit; and after sharply reproving her, he sent her to Stirling. He then severely reprimanded the chancellor, and the other lords her confederates, and left a writing with the earl of Mar, expressly charging him with the custody of his son; and that in case of his (the king's) death, he should not deliver him up either to the queen or the states till he was eighteen years of age.

Death of
the chan-
cellor.

This check broke the chancellor's heart. When upon his death-bed, he sent a messenger to James, begging his favour to his wife and family. James returned him an affectionate answer; but it came too late to revive him. He certainly was an accomplished statesman; and the few specimens he has left us of his Latin poetry are far from being despicable. Doctor Johnston, who lived at the time, says, that he was blamed by many for keeping up divisions at court, and being the author of the earl of

Murray's

Murray's death. After all, he was the wisest and honestest minister (not excepting the earl of Salisbury) that James ever employed. He was honoured by his majesty with an epitaph in English verse, which does no discredit to the royal author.

It is almost incredible, had we not unquestionable evidence for the fact, that tho' James, at this time, was reigning in tranquillity, without either a foreign or domestic foe, his subjects were feeling all the horrors of civil war through the relaxed state of his government, and family animosities among his principal landholders. The lands lay uncultivated, and the people were actually visited with a famine. The bloody differences between the Johnstons and the Maxwells on the borders still continued. The Highlands and the western isles were scenes of the most desperate cruelty; and even the most civilized parts of the kingdom were filled with blood and confusion. The king, when it was too late, interposed his authority; but his proclamations and edicts were disregarded, so furiously were the parties bent upon mutual revenge. He had sent Sir Richard Cockburn to solicit the arrears of his pension from Elizabeth, and to represent that he had done all that was in his power in prosecuting the associated lords, and was willing to go whatever lengths she pleased.

Miseries of
Scotland.

Spotswood.

Elizabeth

A. D. 1595.

Elizabeth remitted some small part of the arrears, and named the earl of Cumberland, with a handsome present, to represent her person at the approaching baptism of the prince of Scotland; but instead of remitting the rest of the money, she apologized for her inability, because she was drained by the assistance she had given to the French king and the Netherlanders. The truth is, Elizabeth knew, that had James been in earnest, it was in his power to have crushed the associated lords without her assistance. Instead of that, though their estates were forfeited, they were vested in trust for their use, and that of their families, and they themselves still remained in the north with a considerable force. A ship arriving from Spain with Gordon the priest, Huntley's uncle, on board, and a Spaniard, probably with a private commission from his master to James, it was seized by the magistrates of Aberdeen; but Huntley, by threatening to burn their city, obliged them to restore it.

The prince
of Scot-
land bap-
tized.

The earl of Cumberland falling ill, the earl of Suffex was appointed by Elizabeth to assist at the prince's baptism. He was instructed, instead of taking notice of the king's pressing solicitations for money, to congratulate him upon his successes against the popish lords, to put him upon his guard against the most specious offers made him by Spain, and to hint at the propriety of his forming a new alliance
with

A. D. 1593.

with Elizabeth, and the other protestant powers. The prince's baptism was performed on the thirtieth of August *, in the presence of the two English embassadors, Suffex and Bowes, with those from Denmark, Mecklenburg, the states of Holland and Zealand, and the duke of Brunswick. The ceremony was performed with great magnificence, and the bishop of Aberdeen christened the prince, Frederic Henry Henry Frederic. He was then created (the record says crowned) prince and great steward of Scotland, duke of Rothsay, earl of Carrick, lord of the isles, baron and knight of Renfrew. After this, a number of knights were made. The same record, which has been printed by Rymer, gives us a particular description of the presents made on this occasion, which, tho' very rich and curious, we shall omit. That of queen Elizabeth was to the value of three thousand pounds. Those from the embassadors of Holland and Zealand were two large cups of gold, each weighing ten pounds, with a golden casket, containing an obligation signed by them and the heads of their provinces, for the payment of five thousand gilders yearly during his life. I mention those circumstances (for the presents in general were more costly than can be well conceived) as tending to prove that James was at this time

* Other accounts make it some days later.

A. D. 1595. considered by all the protestant powers as the presumptive heir to the crown of England.

James
changes his
administra-
tion.

James perceiving himself frustrated in his views upon Elizabeth's purse, for a few days shook off his natural indolence, and applied himself to the regulation of his own finances, which he found could not be effected without a new administration. For this purpose, he pitched upon eight persons to manage his exchequer. These were Alexander lord Urquhart, president of the college of justice, Walter Stuart commendator of Blantyre, lord privy-seal, Carnegie of Colluthy, Lindsay parson of Mammore, Elphinston of Innernity, Hamilton of Drumcarny, Skene clerk of register, all lords of session, and Mr. Young, the king's almoner. The vast authority given to those eight persons, renders it probable that James wanted to divest himself of all power of being longer lavish to his menials and favourites; for when their commission was published, his courtiers said that he had reserved nothing for himself to dispose of. The Octavians (for so they were called from their number) affected great airs of œconomy, and assiduously applied themselves to the examination of the public accounts, in which they found great deficiencies from the management of the late financiers. Perceiving, however, that it would be difficult, if not impossible, for them either to bring them to an account, or to oblige them to

A.D. 1595.

to resign their offices, they compromised matters by way of barter and sale; and Glamis, the late treasurer, with the deputy-treasurer, Melvil, were suffered to retire with as much of the public plunder as the indolence of James, or the interests and views of their successors, suffered them to carry off. After those arrangements were made, the new ministers pressed James to create Urquhart lord chancellor; but though he was an unexceptionable person, James knew he was obnoxious to the clergy, and loved his own quiet too well to gratify their request. By some dispatches of Bowes to his court, it appears that the queen employed all her interest in favour of Urquhart; but that the salary of the place, which was solicited by Montrose, was saddled with two thousand pounds Scots yearly, payable to the duke of Lenox.

Early in the year 1596, the public both of England and Scotland being alarmed with a report of a new Spanish invasion, James published a proclamation, commanding all his subjects to appear at a general muster on the second of February following. The proclamation seems to have been drawn up by Elizabeth herself, or some of her ministers, so much is it in favour of his alliance with England, and so zealous for her glory. I do not perceive that the Spaniards had any real friends in Scotland, except a few enthusiast priests; and

1596.

A. D. 1596. I believe the popish lords, had they made any promises to serve Philip, never thought of performing them, but to obtain money. The brave independent subjects of Scotland disdained the tame compliances of James with a princess, whose avowed conduct pointed out slavery to him and themselves. **Buccleugh**, the son of the same spirited baron whom I have so often mentioned, had then the command of Liddesdale upon the borders, being one of the Scotch wardens. He had served with great reputation in the Netherlands in the cause of liberty, at the head of a regiment, which he himself had raised and carried over. Upon his return he had some dealings with the lord Scroop, who was the opposite warden; and as the pusillanimity of James suffered the English to treat him as a vassal of their mistress, they carried off one **Armstrong** prisoner to Carlisle, on the very day of a conference, which the laws and customs of the borders had rendered sacred from hostilities and personal arrests. **Buccleugh** complained loudly of this breach of national faith, and the indignity done to his master. Elizabeth and her ministers laughed at their remonstrances, and detained the man prisoner, till **Buccleugh's** indignation impelled him to draw out two hundred of his own followers, with whom he scaled and surprized the castle of Carlisle, and freed the prisoner. This brave action was performed

Brave exploit of
Buccleugh.

formed with so cool a resolution, that Armstrong, when delivered from his fetters, bade lord Scroop and his deputy (who were in the next house or room) good night. No door was forced open, but that where the prisoner was confined. No booty was made, though Buccleugh might have plundered the place, and taken the English warden prisoner; and Buccleugh carried Armstrong off unmolested by any of his own or his master's enemies, who inhabited the places through which he conducted him.

A. D. 1596.

April 3.

Elizabeth's haughty spirit could not brook this gallant action. She ordered Bowes to demand satisfaction, and that Buccleugh should be delivered up her prisoner. His defence was modest and manly. He pleaded that he had done nothing but what was strictly consistent with the laws of the borders: that he had offered violence to none, nor committed any hostilities. He submitted at the same time to be tried by commissioners appointed by the two monarchs, according to ancient treaties. The indignity done to Scotland by Elizabeth's demand, raised a spirit against the English, which James was for some time forced seemingly to comply with; but this shew of resolution was not of long duration. Hostilities now broke out upon the borders; and Elizabeth insisting upon satisfaction, James was mean enough to commit Buccleugh prisoner to St. Andrew's,

James
quells the
islanders.

A. D. 1596. Andrew's, from whence he was soon after released, on condition of delivering himself up to Elizabeth, who permitted him to return home. The Western Islands were in as turbulent a state as the borders; and James ordered colonel Stuart to raise a thousand men, to be paid by the public, to reduce them. Their rendezvous was appointed to be in August at Dumbarton; but the dread of an armed force had so good an effect, that the chief islanders submitted to the king's authority, and gave bail for their good behaviour.

Original of
the Scotch
covenant.

The dread of a Spanish invasion was a perpetual source of alarm to the nation, which the clergy did not fail to improve to their own purposes. A bond, or covenant, was drawn up, by which the subscribers, after renouncing the errors of popery, and making profession of the protestant faith, solemnly bound themselves to maintain the true religion, and to defend the king's person and government against all foreign and domestic enemies. However fashionable it has been, since the first formation of this famous covenant, to detest and decry it, and whatever convulsions it may have occasioned in the state, yet its principles are those of true liberty, and worthy of a people determined to maintain themselves in their civil and religious rights. When we consider the characters and despotic conduct of the princes under whom it was afterwards held to be

be treasonable, we cannot be at a loss to account for the uncourtly manner in which it has been treated. I will, however, venture to say, that the propositions it contains are plain, simple, and constitutional. Associations of the same kind were then common all over Europe; and one of them which took place near a century afterwards, saved the laws and liberties of Great Britain. It was signed by James, his nobility, clergy, and his people in general, and the clergy had recourse to it at the period I am now treating of; but it must be owned that the clergy carried their views farther than the words of the instrument can warrant.

A. D. 1596.

Treasonable
conduct of
the clergy.

A committee of their number was appointed to wait upon James, and to lay before him their apprehensions. His answer was, "that though he had not much to apprehend from the Spaniards, yet he had no objections to their giving him their advice." A national fast was appointed, and they advised James to proceed with the utmost rigour against all who corresponded with the popish lords; that the revenues of the latter should be applied towards raising and maintaining a body of troops; and that proper captains should be appointed throughout all the parishes in the kingdom to instruct them in military exercises and discipline. They added, that James ought to call upon the sureties of the exiled lords for payment of their forfeited bonds.

Nothing

A. D. 1596.

Nothing could be more disrespectful to the royal authority, or more opposite to the private sentiments of James himself, than the whole of this advice. He had long resolved to pardon and recall the exiled lords, and had confidentially intimated the same to Bruce, who was the most popular of his clergy. That demagogue excepted against Huntley, who had already obtained leave from James to return, but not to appear in public. Angus was then lurking in Scotland; and Errol being known by the tallness and comeliness of his person, had been made prisoner by Elizabeth's allies in the Netherlands, from whom he escaped to Scotland, by making his keepers drunk. As the warm side which James had towards the banished lords was well known to the public, he openly pleaded his own cause with great plausibility. He observed, that Elizabeth was now grown old; that it was necessary for him, in case his accession to the crown of England was disputed, to have all his subjects of his antient kingdom united; and that in such an event none could do him so much service as Huntley. James made this declaration to a convention which he had called at Falkland, to which Huntley offered any security that could be demanded for his good behaviour. The members approved of the king's sentiments, which were soon after ratified in another convention which was held at Dumfermling, on
pretence

pretence of regulating the baptism of the new-born princefs. A. D. 1596.

The king's resolution to recall the exiled lords was no sooner made public, than the preachers exceeded all bounds of moderation. By their own powers, they threatened the lord Seaton, who was president of the session, with excommunication. James employed some of his counsellors to reason with their heads; but they were found to be intractable: upon which an open breach ensued between James and his clergy. He observed, with great justice, that he was no better than a cypher in his own kingdom, so long as they could arbitrarily exercise the powers of excommunication against his subjects for what they had done in their civil capacities. The storm was increased by the behaviour of one Black, who had in his pulpit called Elizabeth an atheist, and the worship of her church no better than a shew of religion. Black was summoned to appear before the council; but he appealed to the ecclesiastical synod, in which he was seconded by the clergy in general. James issued proclamations against all meetings of the parliament without his permission. Their answer was, as usual, that they were resolved to obey God rather than man, and to take care that the church should receive no detriment; thereby assuming to themselves dictatorial powers in the state, and reviv-

upon
James's
recalling
the exiled
lords.

A.D. 1596. ing the very worst and most dangerous principles of popery.

A tumult. The clergy accused the Octavians as being the authors of the public disturbances, and carried matters against the government so far, that they put the royal authority to defiance, and obliged James, for his own safety, to take vigorous measures, after having offered them very reasonable terms of accommodation. The christening being performed, the tempest grew ungovernable, and Black was accused of having persuaded several noblemen, barons, and others, to take the field in a treasonable manner. James, who disliked coming to extremes, endeavoured to convince the clergy how dangerous their proceedings were, and promised that Black should meet with a very mild censure, if he would appear before the council and acknowledge the crimes that were proved upon him, and ask the queen of England's pardon. These reasonable proposals, and many others, in which James descended from his regal dignity (so apprehensive was he of the consequences of a rupture) were all rejected. The difference was fomented by the enemies of the Octavians who were about court. Black received sentence to be banished to the north, till his majesty's pleasure should be further known. The commissioners from the clergy were ordered to leave Edinburgh, and a new treaty was set on foot,
in

in which the lords Lindsay and Forbes, the barons of Bargeny and Buchan, with the clergymen Bruce and Watson, attended James as deputies from the church. The king demanded to know who they were that dared to assemble against his proclamation? The lord Lindsay replied, "They durst do that, and more; and would not suffer religion to be overthrown."

A.D. 1596.

Some people breaking into the room, James was obliged to leave it; and when the deputies returned to their principals, the tumult rose to such a height, that they called out to arms; and certainly would have forced the doors of the room where James remained, had they not been opposed by the more moderate and substantial part of the citizens. James sent the earl of Mar, the lord Pittenweem, and the baron of Traquair, to confer with the ministers of Edinburgh; and it was with some difficulty that he was permitted to return to his palace. Next day, fresh deputies were chosen to treat with those of the king; but the party still insisting upon the most unreasonable demands, James fled to Linlithgow, and issued a proclamation discharging all judicatories from sitting at Edinburgh, and all noblemen and barons from residing in that city, and commanding them to retire to their respective homes.

James flies
to Linlith-
gow.

A. D. 1596.

Submission
of the town
of Edin-
burgh.

This proclamation had a very considerable effect, especially upon the people of Edinburgh, who inclined to throw themselves at the king's feet for pardon. The violent demagogues drew up a fresh association, in which they had but little success; and lord Hamilton with the baron of Buccleugh were invited to join it. One Welch, a preacher, declared from the pulpit, "That the king was possessed with the devil, and that the subjects might lawfully rise, and take the sword out of his hand." The lord Hamilton waited upon James, and gave him the treasonable invitation he had received from the clergy. An order upon this was sent to the magistrates of Edinburgh to imprison their preachers; but the latter fled to Newcastle. The magistrates in the most humble manner endeavoured to clear themselves from all concern in the tumult, which the council declared to be high-treason; and consequently all its devisers, executors, and partakers, were denounced traitors. James made great difficulty in suffering the deputies from the town to be admitted to his presence; but at last he ordered the magistrates to surrender their power and the custody of their city to the earl of Mar, and the lords Seaton and Ochiltree; which they did, and fully satisfied him that the principal magistrates and inhabitants were innocent as to the riot. Archbishop Spotswood very properly observes, in confirmation of what Tacitus says on a like occasion,

" That

“That all conspiracies of the subjects, if they succeed not, advance the sovereignty.” This was verified by the bad success of the late tumult. The citizens of Edinburgh surrendered their right of electing their ministers to James and his judges; and he met with very little opposition thereafter in ecclesiastical matters. James acted up to the height of royalty upon the occasion. He rejected all offers of submission from the magistrates of Edinburgh, and a motion was made in his council that the town should be razed, and a monumental pillar erected to commemorate the treason of the inhabitants. The states of Scotland again declared the tumult to be treason, and all the magistrates were ordered to enter themselves prisoners in Perth, till they should take their trial according to due course of law.

A. D. 1595.

1597.

One of the first effects of the late tumult was, that the Octavians resigned their posts, as not meeting with any encouragement for their services, and because the queen's expences were too great for them to supply. The king accepted of their resignations, and Spotswood has a good opinion of their short administration. In the mean while, James received a letter from Elizabeth, in which she obliquely advised him to mild measures towards his clergy; which was according to the sentiments of James himself. A national assembly was summoned to meet at Perth on the last of February,

The Octavians resign their places.

A. D. 1597. ary, in which James insisted upon an acknowledgement, by bond, of his royal power above them in all causes of sedition, treason, and other civil and criminal matters, and in all speeches uttered by them in pulpits, schools, or otherwise, which might import the said crimes, or any of them. James next required his clergy to accept of Huntley's offers to satisfy the church. The northern clergy were compliable to the will of James; but desired to be excused subscribing any bond till they assembled at Perth, where they afterwards gave him all the satisfaction he required. His difficulties now came from another quarter; for the earl of Huntley declined making the satisfaction to the church, for which James had promised in his name. He wrote upon this occasion a severe letter to Huntley; but every measure of the assembly tending to the advancement of the royal authority, orders were given for taking off the sentence of excommunication from Huntley and the other two earls. Their jesuits and priests for some time opposed the reconciliation; but it was at last effected, and the tranquillity of the north was restored. It cannot be denied, that James acted through the whole differences he had with the church with a proper spirit; but then we are to observe, that he was supported by his great noblemen, whose interest it was to depress the high powers assumed by the clergy, however they might sometimes

Spotfwood.

sometimes avail themselves of them for their own purposes. A. D. 1597.

James having settled ecclesiastical affairs to his own mind, and his people returning to a state of composure, had now leisure to resume the persecution of supposed witches, wizards, and necromancers. He was then busied in writing his famous but ridiculous *Dæmonology*, to prove the reality of witchcraft and supernatural agency by the devil; and his royal opinion was sealed by the innocent blood of many unhappy wretches who were accused. This persecution was interrupted by fresh disorders upon the borders, in which the Scotch wardens, and other subjects, seem to have been to blame. The truth is, Elizabeth's great age had encouraged the Scotch to some enormities, and she ordered Sir William Bowes to complain of them to James, while he was at Dumfries. James excused himself in the best manner he could; laid the fault upon his unruly subjects; obliged some of the ring-leaders to enter into recognizances for keeping the peace; and proposed an exchange of hostages for the same purpose. A parliament being summoned to meet at Edinburgh in November, James hurried to his capital, and the popish lords were restored to their estates and honours. A large sum of money was exacted by way of peace-offering from the citizens of Edinburgh, who had been declared to have forfeited the privileges

James becomes master of his clergy.

Rymer's Fœdera.

A. D. 1597.

leges of their corporation, and to be liable to all the penalties of treason. James pretended that the favour he shewed them in not razing the city to the ground, and not proceeding capitally against the citizens who were concerned in the late commotions, was owing to the intercession of Elizabeth; but still they were divested of many valuable privileges.

His artful
manage-
ment.

James had made the polity of his national church a particular object of his study; and he, perhaps, understood it better than any king of Scotland ever did. He resolved to improve to the utmost the late advantages he had gained over his turbulent clergy, and to make that order subservient to his former design of humbling his great nobility. He artfully became the patron of the preachers; and actually gained a majority of the order by proposing, that a number of them should be admitted to seats in parliament, with the same powers that had been vested in former bishops and abbots. Nothing now withstood the prerogative. James, for two different assemblies, modelled the doctrine and discipline of his church to his own liking. The preachers were restrained from meddling with political or personal matters. Summary excommunications were declared unlawful. No general assembly was to be held without the king's authority, and he was invested with a power of nominating ministers to the principal towns of his kingdom.

dom. By the intercession of those pliable assemblies the ministers of Edinburgh were permitted to return to their cures in that city; but their power and influence were greatly abridged. In short, James remained absolute master of all ecclesiastical affairs.

A.D. 1597.

By his artful management he prevailed with the commissioners of the general assembly to present a petition to parliament, That the ministers, as representing the church and third estate of the kingdom, might be admitted to vote in the house, according to the acts made in favour of the church. James obtained vast advantages from the indefinite manner in which this petition was worded; for it met with a strong opposition: but at last he had the address to get an act passed, authorizing the ministers and pastors whom his majesty should dignify with the titles of bishop or abbot, to sit in parliament as freely as any ecclesiastical prelate had formerly done. To take away all jealousy, as if James intended to restore prelates to their ancient ecclesiastical jurisdiction, it was referred to the general assembly to determine what authority they were to have in the government of the church. The clergy saw that the intention of James, through all its disguises, was to restore prelacy, that he might have always a proper balance against the great nobility. Many of them, it

Difficulties
of James
with his
clergy.

A. D. 1597.

is true, were dazzled with the lustre of a seat in parliament; but the majority made a strong opposition. They insisted that the number of ecclesiastical votes should be fifty-one, as in the times of popery; but that the whole body of the clergy should have, at least, a conjunct voice with his majesty, as to the manner of their election, their revenues, duration, and titles. James thinking that he had secured his main point by the act of parliament, gave soft answers to all the demands of the clergy, in hopes of every day succeeding to the crown of England, when it would be in his power to act with more decision. All he could do did not quiet the apprehensions of the most penetrating preachers. "Cover over your schemes (said one of them to him) with what varnish you please; dress the intruder with the utmost art; yet, still, under all the disguise, I can see the horns of his mitre."

Birch's Memoirs of Elizabeth.

James inherited from his mother a large share of dissimulation and secrecy in business. He employed Mr. Bruce to be his resident at the English court. Bruce was a man of business, sagacity, and intrigue. He was assisted by Mr. David Foulis, a man of the same character, and a polite scholar; and through their management he understood that the secret sentiments of the nobility of England were in favour of his succession. None of them, however, was so forward as the great earl of Essex. That nobleman, the most accomplished of any in his time,

with

James corresponds with the earl of Essex.

with every gift of nature except patience, had conceived a disgust at Elizabeth's behaviour, and the conduct of her ministry, particularly of Sir Robert Cecil, who was secretary of state. James affected to place great confidence in him, and he answered it by letters containing expressions by no means compatible with the allegiance due to his lawful sovereign.

A. D. 1593.

"If I should (says he, in one of them) only regard the weakness of mine own merit, without having an eye unto the exceeding bounty whereby your majesty hath quickened me to make a present of all that service which my poor ability may perform, I should have forbore to have made this paper a witness of my boldness. But in what manner could I have formed a plea in excuse of inexpressible ingratitude, if I had not by some lines given a taste of the affection of my heart, which breathes only after the prosperous success of a king of so much worth, whose servant I am born by nature, and by duty am obliged to exercise all the powers both of my mind and body in advancing his designs? Therefore such as I am, and all whatsoever I am (though perhaps a subject of small price) I consecrate unto your regal throne; protesting, that what defect soever may be incident unto me, I shall appear more fitly to be set on the score of error than of wilfulness."

Ibid. p. 176.

A. D. 1597.

Resentment
of Eliza-
beth at his
conduct.

It would far exceed my bounds, should I pursue James thro' other connections he formed at this time with the English nobility. It is sufficient to say, that he received from them such assurances, that he did not think himself longer obliged to be so servilely complaisant, as he had formerly been, to Elizabeth. That princess, old, peevish, and infirm, as she was, retained sufficient sensibility to perceive this, and gave way to her puritans writing libels against the succession of James to the English crown, without shewing them any marks of her displeasure. They were answered by the friends of James, who maintained his cause with great warmth; and Elizabeth instructed her minister Bowes, more than once, to complain of his winking at the disorders upon the borders; his secretly leaning towards popery; and his failing in the respect he owed to her person. In one of the dispatches she sent on this occasion, between the signature of her name at the top and the first line of the instructions, she inserted with her own hand the following very remarkable words: "I wonder how base-minded that king thinks me, that with patience I can digest this dishonourable treatment! Let him, therefore, know, that I will have satisfaction, or else"—

James sends
an embas-
sador to the
German
princes.

If we consider the near probability of the succession of James, we may question whether Elizabeth would have found it practicable to
have

A. D. 1597.

have put her threats in execution; but she was prevented by his submission and protestations, which I perceive soon after drew from her, remittances to the amount of seven thousand pounds sterling. In the mean while, James, partly by way of precaution, but chiefly to gratify his natural passion for embassies, nominated the bishop of Aberdeen and Sir Peter Young to the princes of Germany, "to conclude with them a provisional treaty for their assistance, in case his succession in England should be disputed. His instructions to them were to declare, that he did not mind to offend the queen in any sort, whom he loved and honoured as his mother, wishing her many and happy days, but only to strengthen himself against unjust pretenders; and if, in the mean time, they should be pleased, by a common embassy, to entreat the queen to declare, in her own time, the right successor, for preventing the plots and practices of enemies, he would take it for a singular friendship at their hands." Those ambassadors visited the courts of Brunswick, Brandenburg, Hesse, Saxony, Mecklenburgh, and Sleswick. Those princes, who were all of them in alliance with Elizabeth, and most of them her pensioners, knew how tender she was in the affair of her succession; but they were sensible, at the same time, how dangerous it would be for them to disoblige James. Their general answer was cautious,

A. D. 1597: tious, but respectful : “ That though his majesty’s right was not unknown to them, they did esteem it an act of great wisdom in him, to make his friends acquainted with the exceptions taken against his title, that, when occasion required, nothing might be wanting that lay in their power. But to move the queen for declaring her successor, they held it dangerous, and feared it should not so much promote the business as offend her. Always they should advise and take counsel with their confederates and allies, and follow the course which was most likely for his benefit.”

**State of the
borders.**

Though James repeated his protestations to Elizabeth of his enmity to Spain, and his disposition for maintaining peace on the borders, yet hostilities continued there as flagrant as ever. The particulars of the mutual invasions of banditti are of little importance to history at this time. Buccleugh, and Mary’s friends, or their descendants, could never forget or forgive her fate, and left no opportunity of carrying fire and sword into England upon the most trifling provocation, which was generally retaliated upon the borders of Scotland. Those inroads were commonly attended with executions of the most notorious thieves, to the number sometimes of thirty or forty, which were performed without any formality of law. When commissioners were appointed to punish those enormities, both parties defended
what

A. D. 1592.

what they had done; for no indifferent evidence could be obtained, and very little good resulted from any meeting of that kind. Elizabeth sent Sir William Bowes with a letter of complaint, which has come to our hands, and which was presented to James at Dumfries. It was answered by him in the usual strain of compliance; but I find no effect followed. An attempt that some Spaniards had made (in which they failed) to fortify a small island, or rather rock, off the western coast of Scotland, revived Elizabeth's jealousy; but James cleared himself to her satisfaction.

The death of lord Burleigh, which happened this year, freed James from the most inveterate enemy his country or family ever had. That he was a minister of great sagacity, penetration, and assiduity, and that he was a successful as well as faithful servant to his mistress, cannot be denied. I will venture, however, to say, that his behaviour towards Scotland, especially in the affair of Mary, was mean, treacherous, and bloody, and such as none but a man of the basest spirit could have submitted to practise.

Death of
Burleigh.

The family of James was now increased by the birth of another daughter; but indolence, want of frugality, and an undiscerning profusion, joined to the expences of foreign embassies, kept his finances as low as ever. A convention of the states was held in October for

New admin-
istration of
James.

the

A.D. 1598. the regulation of the coin; and upon its rising, James applied himself seriously to plan out a new administration. Sir David Murray, who was created lord Scoon, was made comptroller of the exchequer. The earl of Cassils succeeded the prior of Blantyre as treasurer; but the favourite secretary of state recommended his brother lord Elphinston, and he obtained that high post. A new council consisting of thirty-one persons, sixteen to be nobles, and the rest barons, was appointed. Their heads were the duke of Lenox, the earls of Angus, Cassils, Mar, Glencairn, and Montrose, the lords Seaton, Fleming, Livingston, (who as well as Elphinston were now agreed with Mar) Ochiltree, Newbottle, and Spyny. They were to assemble at court twice a week; and among other powers, had that of fining and imprisoning the authors of all insurrections. Two hundred thousand marks were granted by a new convention for defraying the expence of foreign embassadors. James forced the clergy and citizens of Edinburgh to double the number of their ministers, in order to diminish their power; and he received such supplies from his people, as enabled him to give a decent reception to the queen's brother, the duke of Holstein, who this year paid him a visit. The post of chancellor remaining still vacant, it was given to the earl of Montrose, and the lord Hamilton and the earl of Huntley

ley were created marquises; a title that was new in Scotland. A. D. 1598.

While James was thus settling the internal state of his kingdom, and to all appearance upon excellent terms with Elizabeth, he found himself plunged into fresh difficulties with that princess. She was displeased with the embassy he had sent to the protestant princes of Germany, and highly offended at the favourable expressions he daily threw out in favour of popery. The truth is, that James was fond of figuring as a great scholar, politician, and divine, among foreign princes; and he had the vanity to think that he was born with learning and abilities sufficient to reconcile the Romish, to the reformed, church. It is uncertain whether some letters did not pass between him and his holiness on that subject, even while he was in Scotland; but a discovery which was at this time made, more deeply affected his character.

1599.
His intrigues with the court of Rome.

The intriguing master of Gray, ever since he had been forced to leave Scotland, had commonly resided at Rome, where he received intelligence of a letter which had been sent from James to pope Clement the eighth, recommending the bishop of Vaisson to a cardinal's hat. Gray had the address to obtain a copy of this letter, which contained several expressions very favourable to popery, and he put it into Elizabeth's hands. Elizabeth ordered Bowes, her ambassador, to tax James with the

A.D. 1599. letter; and, as he well might, he disclaimed all knowledge of it; but was startled when he heard that the court of Rome made no secret of the letter, and boasted of James as a valuable acquisition to their church. Upon enquiry, it was found that such a letter had actually been signed by James; and that it was conveyed to the pope's hands by Sir Edward Drummond, who was a profest papist. The matter had a suspicious appearance; but afterwards took such a turn, that his secretary Elphinston confessed he had obtained the signature of James to the letter by surreptitiously shuffling it in among other papers which he was to sign. As the affair became afterwards of consequence to the state, I shall only observe here, that there is too much reason for believing, that if James was imposed upon, his queen was a party in the fraud. No woman was more likely than she was, to accept of money for the management of such a transaction. I am, however, of opinion, that James was no stranger to the letter; but I shall have hereafter occasion to resume this subject.

Discovery
of Thomas
against
James,

Elizabeth seemed to lay no great stress upon the authenticity of the abovementioned letter, as she was not possessed of the original; but she could not bear to see the party of James so strong in England, and resolved to humble him, in a manner peculiar to herself. One Thomas had been taken up for a robbery; and
to

A. D. 1599.

to save his life, he obtained an audience from Elizabeth, in which he pretended that he had been employed by James in a design upon her life. Elizabeth ordered Bowes to talk with James upon this pretended discovery; but at the same time she made so light of it, that she offered to clear him from all suspicion by a public declaration of his innocency. James treated the whole affair with the utmost contempt. He had penetration enough to see that it was an invention of Elizabeth, to make him more dependent upon her, as a suspicion of that kind must be very unfavourable for his succession. Elizabeth ordered Bowes again to upbraid him for losing the respect that was due to her person and dignity. James, upon reconsideration, found himself in a disagreeable situation, especially after he understood that Elizabeth, from a pretended tenderness to him, had put a stop to the prosecution of the criminal. Had he shewed an indifference, he was afraid that Elizabeth would order Thomas to be executed upon his confession, which might give a deep wound to his character in the eyes of the English; and therefore he designed to speak to Bowes, and to disclaim in the most solemn, earnest manner, all kind of knowledge of, or connection with, Thomas.

The whole of the above transaction has been misrepresented by Camden; but it appears from the dispatches of Bowes himself, that he had

A.D. 1599. been sent to Scotland to form a party against James, on pretence of opposing the papists. This, though not mentioned by historians, is plain from the words of one of his letters to queen Elizabeth. "Now (says he) where it pleaseth your majesty, in the end of your instructions, summarily to draw them to two heads, the former hath been (in the premises) satisfied so far as I could, in the letter; which is to note unto your majesty, the names of such noblemen, barons, and good patriots, with whom your majesty may settle some particular correspondency, for the safety of the king and his estate against the common enemy; I most humbly beseech your majesty to receive for answer, that my former small acquaintance in these parts, and the shortness of the time afford me not sufficient means to gratify your majesty's expectation on this behalf; only I am strongly persuaded, by the most honest and wise of this nation that I meet withal, that in all parts of this kingdom, which have received the exercise of religion, especially the barons and boroughs, will be more than double the force of any other part whatsoever, which will bend themselves to favour the Spaniard, or the Romish religion."

who publishes his
Basilicon
Doron.

The prudence of James, which was dictated by his innocency on this occasion, in refusing to accept of any exculpation from Elizabeth, disappointed that princess, and raised his character,

A.D. 1597.

master. The publication of his *Basileon Doron* at the same time did him vast service with the people of England. It is a treatise concerning the art of government, written with moderation and good sense; and though in some passages filled with pedantic learning, few better books have since been published on the subject. It was addressed to his son prince Henry, and the publication of it was owing to the following circumstances. James had made use of one Semple to transcribe this work, and Semple had entrusted the reading of it to Mr. Andrew Melvil, the clergyman, whom I have already mentioned. As James, through the course of his performance, discovers great attachment to the episcopal order, and lays down maxims of government by no means corresponding with those of his clergy, Melvil extracted some passages of it to lay before the synod of St. Andrew's, to have it severely censured. The king's commissioners and friends in the synod having discovered the person who had presented the excepted passages as being libellous, he was denounced a rebel, upon his not appearing, according to summons, before the council. The publication of the book was thus hastened, to prevent any bad impressions which the people of England, and the moderate party in Scotland, might receive of its tendency; and it had the desired effect.

1598.

The

A. D. 1599.
He invites
English co-
medians to
Edinburgh.

The king, to prove how thoroughly he was now emancipated from the tutelage of his clergy, desired Elizabeth to send him this year a company of English comedians. She complied, and James gave them a licence to act in his capital, and in his court. I have great reason to think that the immortal Shakespear was of the number. But his drama, which finds access, at this day, to the most insensible hearts, had no charms in the eyes of the presbyterian clergy. They threatened excommunication and church censures to all who attended the play-house. I shall not enter into the question, How far dramatical entertainments are serviceable or prejudicial to the morals of a people. But the clergy undoubtedly transgressed their duty in attempting to suppress them, otherwise than by humble remonstrances. The votaries of the church of Scotland stood as much in dread, at this time, of ecclesiastical fulminations, as those of Rome had ever done; and many forbore to attend the theatrical exhibitions. James considered the insolent interposition of the clergy as a fresh attack upon his prerogative, and ordered those who had been most active in it to retract their menaces; which they unwillingly did: and we are told that the play-house was then greatly crouded.

1600.
Archbishop
of Glasgow
referred to
his tempo-
ralities.

The spring and summer of this year were spent in forwarding James's new plan of church government by the restoration of the episcopal order,

order, which he had more than ever at heart. In this he proceeded with great circumspection, and the new-appointed bishops were among the most moderate of the presbyterian order. By his influence the parliament passed a vote for restoring Beaton, the popish archbishop of Glasgow, (the same who had so faithfully served his mother abroad as her ambassador) to the temporalities of that benefice, (those of the see being, I apprehend, vested in the duke of Lenox); and to Elizabeth's great dislike, James appointed him to be his ambassador at the French court, where he resided for some years after, in that character. James, by this appointment, wanted to secure the friendship of the French court, should his succession to Elizabeth be disputed; the wisdom and moderation of Beaton having gained him a great reputation in that country. Lord Mure, who was a papist, was about the same time sent to execute a private commission at the court of Rome; and James, afterwards, publicly acknowledged the obligations he lay under to his holiness for the kind and generous reception his ambassador met with. Sir James Lindsay was employed as agent for James to keep the English Roman catholics firm to the succession; and he was sure of the assistance of the northern powers, and even of the protestant princes of Germany, tho' they had not ventured as yet to declare themselves openly.

The

A. D. 1600.

New ecclesiastical constitution.

Spotwood.

The subjects of James were so sensible of the reasons he had for taking those precautions, that they acquiesced in all his measures, and his government began to acquire a consistency and firmness which it never had before. James prudently temporized with his clergy in the affair of episcopacy, now that he had broken thro' their independency upon the civil power. They had agreed that a certain number of their order should sit in parliament; but that for each prelacy which was void, six persons should be presented to the king, of whom he was to nominate one. That the person so chosen "should not propose to council, convention or parliament, in the name of the church, any thing without express warrant and direction from the church; neither should he consent nor keep silence in the said conventions, if any thing was moved prejudicial to the weal and liberty thereof, under pain of deposition from his office." He was to submit his conduct in parliament to the general assembly, and be contented with that part of his benefice which should be given him for his living, without dilapidating or alienating any part of it. To avoid the invidious term of bishop or prelate, he was to be called commissioner of such or such a place, if the parliament thought proper; otherwise the assembly was to consider of some other denomination for the office.

Upon

Upon the whole, the clergymen sitting in parliament were to be representatives of the church; and when we consider the plan in general, it was wise, equitable, and moderate, (if we except the negative which the assembly was to have upon the proceedings of parliament, and which might have been easily modelled, so as to restrict it to doctrinal parts only) and greatly superior to that motley kind of prelacy which afterwards took place in Scotland.

A.D. 1608.
defended.

During this mutual tranquility, James kept up his correspondence with the earl of Essex. The public is no stranger to the crimes and punishment of that illustrious nobleman, tho' his real views, if he had any that were not prompted by private resentment, are still secret. He represented to James that all the places of power and trust in England were vested in the enemies of the family of Stuart, with an intention, in case of Elizabeth's death, to place the infant of Spain on the throne of England. Though nothing could be more groundless than this suggestion, yet James wrote Elizabeth a letter, informing her of another intended invasion from Spain, and named the earl of Mar with the abbot of Kinlosh to be his ambassadors at the English court. Elizabeth treated the information with great disdain, and dropt some expressions as if she was no stranger to the correspondence carried on

James corresponds with the earl of Essex.

A. D. 1600. between Essex and James. It is extremely remarkable, so secret was James in his operations; that he was at this very time carrying on another correspondence with secretary Cecil, the capital enemy of Essex.

This autumn one of the most extraordinary conspiracies that history mentions, broke out in Scotland. I shall relate the particulars as drawn up by James himself, and published by his authority; and, afterwards, make some remarks upon the improbabilities, contradictions, and inconsistencies that attend the whole story.

Account of
Gowry's
conspiracy.

On the fifth of August, as James was taking horse in the morning, to hunt in the neighbourhood of Falkland, he was accosted in a manner more respectful than usual by Alexander Ruthven, brother to the earl of Gowry, and son to that earl who had been beheaded in this reign. It may be here proper to inform the reader, that the two brothers had received their education abroad; that they were looked upon as being more learned than noblemen generally are; and that they had not only been restored by James to their family honours and estate, but distinguished by him with particular marks of his bounty. Having finished the course of their education and travels, they returned through England to Scotland, where they resided at their family-seat near Perth; but it is pretty certain that Elizabeth had found means to fix the earl in her interest, and that she intended

intended to make him her principal agent in Scotland. Be that as it will, this Alexander, who, it seems, was very handsome, and whom James suspected to have an intrigue with his wife, informed his majesty that, the evening before, he had seized a suspicious fellow, muffled up in a cloak which concealed a large pot full of gold coin: that he had secured the fellow and his pot in a sequestered house, till he should know his majesty's pleasure; for which purpose he had come to Falkland. Ruthven added, that none, not even the earl his brother, knew of this adventure; but pressed James to give some orders about the gold and the prisoner. James, at first, declined having any thing to do with either; but, upon farther examination, he began to suspect that the fellow might be an agent from the pope or the king of Spain, and might be entrusted with the gold to make disturbances in his kingdom. He offered to send back one of his servants with Ruthven, and a warrant directed to the magistrates of Perth, to receive the fellow and the money into their custody, and to detain both till his pleasure should be farther known. Ruthven strongly opposed this expedient. He observed, that if either the magistrates or his brother should hear of the prisoner and the money, James would get but a poor account of the latter; in which case he (Ruthven) must lose the reward of his zeal and loyalty; and therefore he in-

A. D. 1609. treated James to examine the fellow in person, entirely referring his own recompence to his majesty's generosity. The sport of the field being at a stand during this long conference, James joined his attendants; but told Ruthven that he would consider further of the matter: Ruthven endeavoured still to prevail upon James to examine the prisoner, who, he said, in case of delay, might make a noise, which would defeat the whole discovery. Though it does not appear by the narrative drawn up by James himself, that he agreed to this proposal, yet Ruthven dispatched Henderson, one of the two servants who attended him, to ride post-haste back to acquaint the earl of Gowry, that in about three hours James would be at his house, and desiring him to prepare dinner. James, during the chase, was startled with what he heard from Ruthven; and riding again up to him, told him that when the sport was over, he would attend him. Upon the death of the stag, James called for a fresh horse, and, unarmed and defenceless as he was he left word with the duke of Lenox, the earl of Mar, and his other attendants, that he was gone to Perth upon business with the earl of Gowry, but that he would be back at night. Most of the company got fresh horses, and imagining that James was gone to apprehend the master of Oliphant, who was then skulking as
an

an outlaw about the country, they gallopped after him, apprehending danger to his person.

Ruthven endeavoured to prevail on James to countermand their attendance upon his person, and to be satisfied with that of three or four servants. James says, that this discourse began to give him suspicions of Ruthven's intentions; but thinking that his brother's severe usage of him might have disturbed his brain; a conjecture which was confirmed by the uncommon wildness of his looks, his pensive air, and incoherent discourse; he was contented with ordering the noblemen, his followers, to attend him; and, after informing the duke of Lenox of Ruthven's discovery, and his own suspicions of his insanity, he ordered him not to leave him, especially when he entered the house where the fellow and the treasure was confined. Their discourse was interrupted by Ruthven, who again peremptorily insisted, that one of the royal attendants should be present at the fellow's examination: but James told him with a smile, "That being himself but a poor accomptant, it was necessary he should have some assistance in telling over the money." Ruthven insisting with his usual earnestness that none should be present. James grew at last apprehensive of some treasonable design; but, by his own account, he was ashamed to own his suspicions, and rode forward. When they came within two miles of Perth,

Ruthven.

A. D. 1600. Ruthven dispatched another servant * to advertise his brother of the king's approach, and after riding a mile farther he left James for the same purpose.

Gowry was at dinner when he understood from his brother that the king was at hand; and was so far from having made any preparation for his majesty's reception, that having received him at the head of three or four score of his attendants, (those of James not exceeding fifteen, and armed only with swords) it was a full hour before his dinner could be got ready. During this interval, James pressed Ruthven to introduce him to the prisoner; but he pretended that there was no hurry till his majesty's dinner was over. James describes the earl of Gowry as being extremely restless, unquiet, and uneasy, while his majesty was dining †. When James was ready to rise from the table, Ruthven whispered him that it was now time to visit the prisoner; but he wished that his majesty would get rid of the earl his brother, by desiring him to entertain the other

* I shall here just observe, that Ruthven and his two servants had rode from Perth to Falkland that day; and the horse of the former was so tired, that it could scarcely keep up with the king, whom he was incessantly pressing to ride faster, yet (to speak nothing of the first servant) this second servant's horse outrides them all, and reaches his master's house before the king himself.

† This is not surprising when we consider how ill prepared he was for his royal visitant; for it appears, from the king's own relation, that neither of his brother's servants had delivered their message: besides, if Ruthven was (as there is too much reason to believe he was) insane, the earl's conduct must be encreased at such an adventure.

gues.

guests. When James left the room, he desired to be attended by Sir Thomas Erskine; but Ruthven desired him to go forward with him, "and persisting that he should make any one or two follow him that he pleased to call for; desiring his majesty to command publickly that none should follow him." It does not appear that the king gave any such order; but that, passing thro' the end of the hall where his attendants were at dinner, he mounted a winding stair, (called in Scotland a Turnpike) and after passing through several rooms, the doors of which were all carefully locked by Ruthven, at last he entered a small closet, where he saw a man with a dejected countenance, standing at liberty with a dagger at his girdle. Ruthven locking the door, and clapping his hat on his head, drew the dagger from the man's girdle, and pointing it to the king's breast, he swore bitterly that it should go to his heart if he offered to cry out or to open a window; affirming, that he was sure the king's conscience was burthened for murdering his father.

James does not inform us why Ruthven did not immediately plunge the dagger into his bosom; (which he naturally would have done, had he been determined to murder him) but displays his own eloquence, in recounting the arguments he made use of to divert Ruthven from his barbarous purpose, while the third person

person stood by trembling and quaking, rather like one condemned, than an executioner of such an enterprize. If we believe James, his rhetoric made such an impression upon Ruthven, that it saved his life. "At his majesty's persuasive language (says James in his narrative) he appeared to be somewhat amazed, and, uncovering his head again, swore and protested that his majesty's life should be safe, if he would behave himself quietly, without making noise or crying; and that he would only bring in the earl his brother to speak with his majesty. Whereupon his majesty enquiring what the earl would do with him, since (if his majesty's life were safe, according to promise) they could gain little in keeping such a prisoner; his answer only was, that he could tell his majesty no more; but that his life should be safe, in case he behaved himself quietly; the rest the earl his brother, whom he was going for, would tell his majesty at his coming. With that, as he was going for the earl his brother, as he affirmed, he turned him about to the other men, saying these words unto him, "I make you here the king's keeper, till I come back again, and see that you keep him upon your peril: and therewithal said to his majesty, "You must content yourself to have this man now your keeper, until my coming back."

After

After this sudden transition from murder to mildness, Ruthven left the room, but took the key with him. His majesty asked the fellow who was left with him, "Whether he was appointed to be his murderer?" which he denied with marks of fear and horror; and said that he had been locked in there a very little while before his majesty's arrival. The king then ordered him to open the window, which he readily did. Mean time, while Gowry was entertaining the king's servants, one of them told him that the king had taken horse; upon which the company rushed out to follow him. They understood from the porter that the king was not gone; but Gowry running back to the house, immediately returned, and told them the king had set out by a back gate. As they were hasting to take horse, young Ruthven returned, and told James that he must die, offering to bind his majesty's hands, at the same time, with a garter. James and he instantly collared each other; and before Ruthven could draw his sword, James drew him by force to the window, from whence he called out that they were murdering him in that place, at the very instant his servants were running past it to take their horses. The king's voice was instantly known by the earl of Mar and the duke of Lenox. They attempted to run up the turnpike by which the king entered; but the earl of Gowry mounted by

A. D. 1600. another stair-case, which was left open. By this time James had the better in the struggle between him and Ruthven, and he had drawn the latter to the door of the study, his head being under his majesty's arms, and himself on his knees.

The earl of
Gowry and
his brother
killed.

Such was the situation of the combatants, when Sir John Ramsay luckily found his way to the accessible turnpike, and mounting it, wounded Ruthven two or three times with his dagger; upon which James threw his antagonist down from the top of the stairs to the bottom, where his life was finished by Sir Thomas Erskine and Sir Hugh Herries. His last words were, "I am not to blame for this." Before Erskine performed this feat, he had collared the earl of Gowry, who was delivered by his servants. Erskine and Herries having dispatched Ruthven, ran up the turnpike, and were followed by the earl of Gowry, who had on his head a steel helmet, and a sword in each hand, and seven of his servants, each with a sword, all the force of James (whom his subjects had shut into the closet) amounting only to the three knights abovementioned, and one Wilson. A conflict ensued in the adjoining room, in which the king's attendants were wounded; but Sir John Ramsay ran his sword through Gowry's heart, and he expiring without speaking a word, his servants were driven down stairs. The duke of Lenox and the earl of

Mar

Mar had now forced their way into the turnpike by which James had mounted, and found him upon his knees thanking God for his deliverance. The townsmen of Perth had, by this time, taken the alarm; and upon hearing that their provost, the earl of Gowry, was killed, surrounded the house. James ordered them to be admitted, shewed them the dead bodies of the earl and his brother, and informed them both of his danger and deliverance. To them he committed the custody of the bodies; but before he left the town, he "caused to search the said earl of Gowry's pockets, in case any letters that might further the discovery of that conspiracy might be found therein. But nothing was found in them but a little close parchment bag, full of magical characters, and words of enchantment, wherein it seemed that he had put his confidence, thinking himself never safe without them, and therefore ever carried them about with him; being also observed, that, while they were upon him, his wound, whereof he died, bled not; but incontinent, after taking them away, the blood gushed out in great abundance, to the great admiration of all the beholders: an infamy which hath followed and spotted the race of this house for many descents, as is notoriously known in the whole country."

A. D. 1600.

Reflections
on the con-
spiracy.

Thus, I have given the substance, and in many passages the words, of the famous discourse published by James concerning this celebrated conspiracy. The reader may easily perceive, by its internal evidences, that it is full of absurdities and inconsistencies; and they are so palpable, that I shall omit all animadversions on that head. Strong external evidences likewise concur to destroy the credit of the king's narrative. Archbishop Spotswood says, that during Gowry's combat with the king's attendants, which was, it seems, in a chamber, into which the closet opened, one of the company cried out, "You have killed the king our master, and will you also take our lives?" Gowry, hearing this, gave over the combat; and dropping the two points of his swords, was run through the heart. In the notes *,

* Apud Falkland, 9th of August 1600.

In presence of the lord-chancellor, lord-treasurer, lord-secretary, lord-comptroller, lord advocate, the lord Inchefray, and Sir George Home of Spot, knight,

James Weimys of Bogy, of the age of twenty-six years, or thereby, sworn and examined upon the form and manner of behaviour of late John earl of Gowry, the time of his being with him at Strabran, or if he had heard the said earl make any motion of the treason intended against his royal majesty, depones, that he neither heard, nor saw, any appearance of any such intention in the said earl.

Demanded, if he was in any purpose with the said earl against any matters of curiosity: depones, that at their being in Strabran, some of their company found an adder, which being killed, and knowledge thereof coming to the earl, the earl said to this deponer, Bogy, if the adder had not been slain, ye should have seen a good sport; for I should have caused her to stand still, and she should have not pressed away, by pronouncing of an
Hebrew

the reader will find the depositions which were taken concerning the conspiracy, after the

A. D. 1600.

Hebrew word, which in Scottish is called "holiness," but the Hebrew word the deponer remembers not of: and that the earl said he had put the same in practice oft before. And this deponer inquiring of the earl where he got the Hebrew word, the earl answered, in a cabbalist of the Jews, and that it was by tradition: and the deponer inquiring what a cabbalist meant, the earl answered, it was some words which the Jews had by tradition, which words were spoken by God to Adam in Paradise, and therefore were of greater efficacy and force than any words which were excogitate since by prophets and apostles. The deponer inquiring if there were no more requisite but the word: the earl answered, that a firm faith in God was requisite and necessary; and that this was no matter of marvel among scholars, but that all these things were natural. And that the earl shewed to this deponer, that he had spoken with a man in Italy; and first hearing by report that he was a necromancer, and thereafter being informed that he was a very learned man, and a deep theologian, he entered in further dealing with him against the curiosity of nature.

Depones further, that the said earl reported to him, that he being at music, he fell in company with another man, who, staring in the earl's face, spake to the rest of the company things of him, which he could never attain unto, nor be worthy of: and therefore that the earl reproached him, and desired him to forbear these speeches. And that he met again with the said man in a like company, who did begin with the same language which he had spoken before: and that the earl said to him, My friend, in case you will not hold your peace from speaking lies of me, I will make you hold your peace by speaking truth of you; and said unto him, within such a space he should be hanged for such a crime; and so it came to pass. This deponer inquiring of the earl who told him that, he answered merrily, that he spake it by guess, and it fell out so. And that the earl said further, that it was nothing to make an herb flesh, which would dissolve in flies; and that likewise it was possible that the seed of man and woman might be brought to perfection otherwise than by the matrix of a woman: and that this deponer counselled the earl to beware with whom he did communicate such speeches: who answered, that he would speak them to none, but to great scholars; and that he would not have spoken them to this deponer, if he had not known him to be a favourer of

A. D. 1600. king's return to Falkland. From them it appears, that necromancy was the capital charge

of him, and a friend of his house, and would not reveal the same again, seeing he knew they would be evil interpreted amongst the common sort.

Sic subscribitur J. Weimys of Bogie.

Apud Falkland, 20th August 1600.

In presence of the lord-chancellor, treasurer-advocate, Sir George Home of Spot, Sir Robert Melvil, and Sir James Melvil, knights,

Master William Rynd, sworn and examined, and demanded where he first did see the characters which were found upon my lord; depones, that he having remained a space in Venice, at his returning to Padua, did find in my lord's pocket the characters which were found upon him at his death: and the deponer enquiring of my lord where he had gotten them, my lord answered, That by chance he had copied them himself: and that the deponer knows that the characters in Latin are my lord's own hand-writing; but he knows not if the Hebrew characters were written by my lord. Depones further, that when my lord would change his clothes, the deponer would take the characters out of my lord's pocket, and would say to my lord, Wherefore serves these? and my lord would answer, Can ye not let them be? they do you no evil. And further the deponent declares, that sometimes my lord would forget them, until he were out of his chamber, and would turn back, as he were in an anger, until he had found them, and put them in his own pocket. Depones further, that he was sundry times purposed to have burnt the characters, were it not that he feared my lord's wrath and anger, seeing, when the deponer would purposely leave them sometimes out of my lord's pocket, my lord would be in such an anger with the deponer, that for a certain space he would not speak with him, nor could not find his good countenance. And that (to this deponer's opinion) my lord would never be content to want the characters off himself, from the first time that the deponer saw them in Padua, to the hour of my lord's death.

Being demanded for what cause my lord kept the characters so well, depones, that, to his opinion, it was for no good, because he heard, that, in those parts, where my lord was, they would give sundry folks briefs.

Depones further, that master Patrick Galloway let this deponer see the characters, since that he came to this town of Falkland; and that he knows them to be the very same characters which

against Gowry; but what is more to my purpose is, that the evidence of Henderson, who

which my lord had. Depones also, that, on Monday the fourth of August, the master, Andrew Henderson, and the deponer, remained in my lord's chamber till about ten hours at even, and after a long conference betwixt the lord and the master, my lord called for Andrew Henderson, and after some speeches with him, dismissed them.

Denies that he knew of the master's or Andrew Henderson's riding to Falkland; and after Andrew's return from Falkland upon the morrow, howbeit he did see him booted, yet he knew not that he was come from Falkland.

Depones, that my lord being at dinner when the master came in, the deponer heard my lord say to the master, Is the king in the inch? And with that he did rise, and said, Let us go. But the deponer knows not what the master said to my lord.

Being demanded if he did see any kind of armour or weapons, except swords, in the king's company, depones that he did see none.

It being demanded how the deponer was satisfied with my lord's answer made to him, concerning the king's coming to St. Johnstoun, saying that he knew not how he came: declares that he thought my lord dissembled with him, and that he behoved to have known it, seeing his brother was come with his majesty before that he demanded of him, and that he had conferred with my lord privily.

Depones, that he knew not that the master was ridden to Falkland, until after his majesty's coming to St. Johnstoun, that Andrew Ruthven told him; because the deponer enquired of Andrew Ruthven where the master and he had been; and that Andrew answered they had been in Falkland: and, that the master having spoken with the king, his majesty came forward with them, and that this conference betwixt the deponer and Andrew Ruthven was in the yard, when my lord was there. And Andrew Ruthven shewed to the deponer, that Andrew Henderson was directed by the master to shew my lord that his majesty was coming.

Depones also, that, in his opinion, the master could not have drawn the king to my lord's house, without my lord's knowledge: and that, when he heard the tumult, he was resolved in his heart the master had done his majesty wrong; and that no true christian can think otherwise, but that it was an high treason; attempted against his highness by the master and the lord.

Depones

A.D. 1600. was the third man in the closet, directly contradicts the king's narrative in several material

Depones also, that, to his opinion, the king's whole company was within a dozen of men.

Sic subscribitur M. W. Rynd.

Apud Falkland, 20th August, 1600.

In presence of the lords chancellor, treasurer, advocate, comptroller, Sir George Home of Spot, and Sir James Melvil, knights,

Andrew Henderson sworn, and examined, and demanded, what purpose was betwixt him and the earl of Gowrie, upon Monday at night, the 4th of this instant, in the said earl's chamber: depones, that the earl inquired of him what he would be doing upon the morn? and he answered, that he was to ride to Ruthven: the earl said to him, You must ride to Falkland with master Alexander my brother, and when he directs you back, see that ye return with all diligence, if he send a letter or any other advertisement with you.

Depones, that the master directed him to send for Andrew Ruthven to be in readiness to ride with them to-morrow at four hours in the morning.

Declares, that they coming to Falkland about seven hours in the morning, the master stayed in a lodging beside the palace, and directed the deponer to see what the king was doing; and the deponer finding his majesty in the closet coming forth, he passed back, and told the master, who immediately addressed himself to his highness, and spake with his majesty a good space beneath the equery: and, after his majesty was on horseback, the master cometh to the deponer, and commands him to fetch their horses, and bade him haste him, as he loved my lord's honour and his, and advertise my lord, that his majesty and he would be there incontinent, and that his majesty would be quiet: and the deponer enquiring of the master, if he should go presently, he did bid him leap on and follow him, and not to go away until he spake with the king: and the master having spoken with the king at the breach of the park-wall, he turned back, and bade the deponer ride away; and the deponer making his return in all possible haste to Saint Johnstoun, he found my lord in his chamber about ten hours, who left the company he was speaking with, and came to the deponer, and asked, Hath my brother sent a letter with you? The deponer answered, No: but they will be all here incontinent, and that the deponer desire my lord to cause prepare to dinner. Immediately thereafter, my lord took the deponer to the cabinet, and

circumstances. It is hard to account how this A. D. 1601
could happen, unless we suppose that some of

and asked at him, How his majesty took with the master his brother? The deponer answered, Very well, and that his majesty laid his hand over the master's shoulder. Thereafter my lord enquired, if there were many at hunting with the king? The deponer answered, that he took no heed, but they who were accustomed to ride with his majesty, and some Englishmen were there; and that my lord inquired what special men were with his majesty; and that the deponer answered, he did see none but my lord duke. And within an hour thereafter, when the deponer came in from his own house, the earl bade him put on his secret and plait sleeves, for he had an Hyland-man to take; which the deponer did incontinent: and about twelve hours, when the deponer was going out to his own house to his dinner, the steward came to him and told him, that George Cragingelt was not well, and was laid down; desired him to tarry and take up my lord's dinner: and about half an hour after twelve, my lord commanded him to take up the first service. And when the deponer was commanded to take up the second service, the master and William Blaire came into the hall to my lord.

The deponer remembereth himself, that Andrew Ruthven came before the master a certain space, and spake with my lord quietly at the table, but heard not the particular purpose that was amongst them. And as soon as the master came to the hall, my lord and the whole company rose from the table: and the deponer hearing the noise of their forthgoing, supposed they were going to make breakes for Maconilduy: and the deponer sent his boy for his gauntlet and steel-bonnet; and seeing my lord pass to the Inshe, and not to the shoe-gate, the deponer did cast the gauntlet in the pantry, and caused his boy to take his steel-bonnet to his own house: and he followed my lord to the Inshe, and returned back with his majesty to the lodging, being directed to get drink. And the master came to the deponer, and did bid him cause master William Rynd to send him up the key of the gallery-chamber; who passed up and delivered the key to the master: and immediately my lord followed up and did speak with the master, and came down again, and directed master Thomas Cranstone to the deponer, to come to his lordship in his majesty's chamber. And that my lord directed him to go up to the gallery to his brother; and immediately my lord followed up, and commanded the deponer to bide there with his brother, and to do any thing that he bade him: the deponer en-

A.D. 1600. The judges had communicated copies of Henderson's information to those who believed the

quired at the master, What have ye to do, sir? The master answered, Ye must go in here, and tarry until I come back; for I will take the key with me. So he locked the deponer in the round within the chamber, and took the key with him. Shortly thereafter the master returned, and the king's majesty with him to the said cabinet in the round; and the master opening the door, entered with the king into the said round: and, at his very entry, covering his head, pulled out the deponent's dagger, and held the same to his majesty's breast, saying, Remember ye of my father's murther? ye shall now die for it: and muting to his highness's heart with the dagger, the deponer throw the same out of the master's hand: and swore, that as God shall judge his soul, if the master had retained the dagger in his hand the space that a man may go six steps, he would have stricken the king to the hilts with it: but wanting the dagger, and the king's majesty giving him a gentle answer, he said to the king's majesty, with abominable oaths, that, if he would keep silence, nothing should ail him, if he would make such promise to his brother, as they would crave of him: and the king's majesty inquiring what promise they would crave; he answered, that he would bring his brother. So he goes forth, and locks the door of the round upon his majesty and the deponer; having first taken oath of the king, that he should not cry, nor open the window.

And his majesty inquiring of the deponer what he was? he answered, A servant of my lord's. And his majesty asking of the deponer, if my lord would do any evil to him? The deponer answered, As God shall judge my soul, I shall die first. And the deponer pressing to have opened the window, the master entered and said, Sir, there is no remedy: By God, you must die: and having a loose garter in his hand, pressed to have bound his majesty's hands, and the deponer pulled the garter out of master Alexander his hand. And then the master did put one of his hands in his majesty's mouth, to have stayed him to speak, and held his other arm about his highness's neck: and that this deponer pulled the master's hand from his highness's mouth, and opened the window: and then his majesty cried out thereat; whereupon his highness's servants came in at the gate, and this deponer did run and open the door of the turnpike head, whereat Sir John Ramsay entered: and the deponer stood in the chamber until he did see John Ramsay give the master a stroke; and thereafter

conspiracy, and who published them before the narrative of James was printed off. He seems to have been sensible of somewhat of this kind; for he says at the close of his narrative, "If the reader shall find any thing differing from

thereafter privily conveyed himself down the turnpike to his own house: and the deponer's wife enquiring of him what the fray meant? the deponer answered, that the king's majesty would have been twice ficked, had not he relieved him.

Further, the said Andrew Henderson depones, that after his returning from Falkland on the fifth of this instant, master John Moncrief enquiring of him where he had been? He answered; that he had been beyond the bridge of Erne; and says, that he gave that answer to master John, because my lord commanded him to let no man know that he was to ride to Falkland: and that my lord's direction to him, was to come back with his brother master Alexander's answer, and to leave Ruthven to await upon the master.

Further, the said Andrew Henderson depones, that, when he had taken the master's hand out of the king's majesty's mouth, and was opening the window, master Alexander said to him, Wilt thou not help? Woe betide thee, thou wilt make us all dis.

Sic subscribitur, Andrew Henderson,

With my hand.

August 22, 1660.

Master William Rynd sworn and re-examined, if ever he had heard the earl of Gowrie utter his opinion anent the duty of a wife man in the execution of an high enterprize; declares, that, being out of the country, he had divers times heard him reason in that matter, and that he was ever of that opinion, that he was not a wife man, that having intended the execution of an high and dangerous purpose, communicate the same to any but himself; because keeping it to himself, it could not be discovered nor disappointed: which the deponer declared before unrequied, to the comptroller, and master William Cowper minister at Perth: and hearing the depositions of Andrew Henderson read, and being enquired upon his conscience, what he thought of the fact that was committed against his majesty? declares, that upon his salvation, that he believes Andrew Henderson has declared the circumstances truly.

Sic subscribitur, M. W. Rynd.

C c c 2

his

A. D. 1600. his narration, either in substance or circumstance, he may understand the same to be uttered by the deponer in his own behoof, for obtaining of his majesty's princely grace and favour.²² I cannot, however, see any thing in those depositions, excepting the ridiculous suspicions of necromancy, that are the least calculated for that purpose, unless we suppose that the flat contradictions of Henderson to his majesty's evidence was intended to gain his grace and favour. But, though I leave this subject in a very indetermined state, yet I shall be obliged to resume it in a few years hence, when the reader can little suspect any such revival. I shall only observe, that there is a material difference between Spotswood's narrative and that of the king; for the former says, that the earl himself intercepted the fellow with the gold, and sent his brother to the king with the information. Upon the whole, I am inclined to believe, that if there was a conspiracy, the queen knew of it; but more probably there was none intended to be executed at that time; and that the tragedies which followed proceeded from the distempered brain of young Ruthven; for I can see no ground for charging the brother, who took no advantage of the vast superiority of force he had in his house, and who, the moment he heard that the king was dead, dropt his arms, and suffered himself to be run through the body by his enemies,

Differences
between the
narrative of
Spotswood
and James,

James was at infinite pains to propagate the belief of this conspiracy, and to magnify the danger he had escaped. The bodies of Gowry and his brother were treated as those of traitors. The earl of Montrose lord-chancellor, the lord-treasurer Elphinston, secretary Elphinston, the comptroller, Sir David Murray, and other noblemen and gentlemen who were at Edinburgh, with Mr. David Lindsay, the court chaplain, repaired to the Cross there, where, by the order of James, Lindsay recapitulated all the circumstances of the conspiracy. The clergy of the town were ordered to convene their parishioners, and to give God thanks for his majesty's deliverance. They treated this injunction with great contempt, and positively refused to comply, because they were ignorant of the facts. The king himself interposed, and came to Edinburgh, where sermons were preached, and thanksgivings offered by his own chaplains for his deliverance; and he himself, after expatiating upon his wonderful preservation, founded and endowed poor-houses, and ordered signal rewards to the servants who had so bravely defended him. Notwithstanding this, the Edinburgh clergy continued still refractory, and refused to celebrate the public thanksgiving, which was appointed throughout the kingdom; upon which, they were banished the capital, and inhibited, under no less penalty than that of death, to preach within

A. D. 1600.
James again
quarrels
with his
clergy.

A. D. 1600. within his majesty's dominions. Five of the most moderate retracted, and were received into favour, on their promising to preach up the truth of the conspiracy. Bruce, the preacher, with manly resolution, declared, that he would reverence his majesty's reports of that accident, but he could not say that he was persuaded of its truth; and for this he was banished to France.

He abolishes
the name of
Ruthven.

When all circumstances of this juncture are considered, James seems to have reversed his former condition. From being one of the most limited and impotent princes that ever filled a throne, he was now master not only of the purses, but of the affections of his subjects. I find no public act of disapprobation expressed for the most defensible of all his clergy's acts, that of disbelieving the reality of the conspiracy; and in a parliament which met in November, the king's reports of his danger and deliverance were revered as oracles. A sentence of forfeiture was pronounced against Gowry and his brother; and the members were so ridiculously complaisant to James, as to strike the word Ruthven out of the list of Scotch surnames, unless the persons so called were particularly indulged by James in retaining the name of their forefathers. An annual thanksgiving and holiday was appointed to be celebrated every succeeding fifth of August, the day of his majesty's deliverance. An act passed for
the

the removing and extinguishing all feuds, which was confirmed by the seeming abolition of all parties among the noblemen. Before this parliament rose, the queen was delivered at Dumfermling of a son, afterwards the unhappy king Charles. He was on the day of his christening created lord of Ardmannoc, earl of Ross, marquis of Ormond, and duke of Albany. Six days after, in honour of the occasion, the lord Livingston was created earl of Linlithgow, the lord Seton earl of Winton, and the lord Cessford earl of Roxburgh, and many gentlemen were made knights at the same time.

A. D. 1600.
Birth of
prince
Charles.

In the beginning of the year 1601, the prerogative of James was so high, that by virtue of his proclamation alone, he imposed for his own use, twelve pennies Scots (one penny English) upon every pint of wine that was sold in a tavern; and the tax was confirmed by a parliament which met on the twelfth day of February.

1601.

While James was exulting in his deliverance from, perhaps, an imaginary danger, Elizabeth was attacked by a real conspiracy, through the madness and ambition of her favourite the earl of Essex. The particulars of that nobleman's treason, and the manner of his death, are well known to all who are conversant in history; and the account of it belongs properly to that of England. The correspondence of Essex with James (though, as we have already seen, it bordered

Affairs of
England.

A. D. 1601. **dered upon treason) formed no part of his indictment; and no sooner was he executed, than the Scotch parliament voted a sum of money to James for two ambassadors, the earl of Mar and the abbot of Kinlofs, to be sent to Elizabeth, with his compliments of congratulation upon her deliverance. They were charged by James with the following letter to that princess.**

“ Right high, right excellent, and right mighty princess, our dearest sister and cousin, in our heartiest manner, we commend us to you.

“ Our earnest affection carefully to continue that perfect amity wherein the chief welfare of both our estates consisteth, hath caused us to foresee what hindrance to the increase thereof hath been hatched and fostered by unfit instruments, employed by either of us in the treating of our affairs.

“ For remedy whereof, we have made choice to send unto you for ambassadors, our trusty cousin and counsellor the earl of Mar, a nobleman sound and zealous in religion, and of known affection to the maintenance of the happy amity betwixt our crowns, and with him the abbot of Kinlofs, one of our privy-council, whose good disposition to the conservation of the aforesaid amity is not unknown to yourself; that by their ministry and negotiation, such good grounds may be laid down; as may hereafter so strengthen and corroborate the entire

tire and most assured trust betwixt us, as busy spirits, enemies to the repose of both our estates, may have no credit to shake in any point.

“ Thus, expecting your kind acceptation of them with credit in such matters as they come from us, even as ourselves, right high, right excellent, and right mighty princeſs, our dearest ſiſter and couſin, we bid you right heartily farewell. At Holyrood-houſe the eighteenth day of February, one thouſand fix hundred and one. Your loving and affectionate brother and couſin, James R.”

Though, as the reader may obſerve, the tenor of this letter is general, yet many particular inſtructions were given to the embaffadors. They were to make a ſtrict enquiry into the affair of Thomas, which I have already mentioned. They were to complain of the carrying off, by force, two Engliſh gentlemen, of whom James was fond; and to renew the demand of the Lennox eſtate, with a view of his obtaining a ſeat in the houſe of peers in England. Elizabeth evaded giving any ſatisfaction to thoſe requeſts; but gave James, in lieu of the Lennox eſtate, an addition of two thouſand pounds a year to his precarious penſion, on the expreſs condition that he ſhould turn a deaf ear to all propoſals from Spain. The conjunction between James and Elizabeth gave ſuch umbrage to the Roman catholics, that pope Clement the eighth iſſued out two briefs, the one addreſſed

Intrigues of
the Roman
catholics.

A. D. 1601. to the popish clergy, and the other to the people of England, commanding them, after Elizabeth's death, to admit no person, whatever his right of blood might be, to her throne, unless he should solemnly engage himself not only to tolerate, but to establish, the Roman catholic religion. Those briefs were communicated only to a few, as the receiving of them would have been deemed high treason. The secret manner of distributing them added to their malignity; and it is thought, with great justice, they bound those chosen few in such fetters of religious zeal, that they afterwards produced the execrable plot of the gunpowder treason.

Elizabeth
augments
the pension
of James.

While the Scotch embassadors were residing at the English court, (where they strengthened their master's interest so much, that they assured him his succession could not be set aside) family broils broke out between the Maxwells and the Johnstons upon the borders; so that James was obliged to repair to Dumfries, where finding that the Maxwells were the aggressors, he bound them to their good behaviour. The duke of Lenox, this year, was sent on a most splendid embassy to the court of France, on pretence of renewing the ancient league between the two kingdoms; but in reality to feel the disposition of Henry the fourth, with regard to the succession of James to the crown of England. Henry's sentiments were so ambiguous, and he threw out such hints in his unguarded moments, that

James

James very wisely ordered Lenox to take leave of the French court, and to repair to England, where he arrived in November. The parliament was then sitting at Westminster; and it was generally believed that Lenox's business was to push the affair of his master's succession. That was far from being the case. The great age and infirmities of Elizabeth had relaxed her vigorous and deep schemes of policy; and she was now accessible to the feelings of humanity and friendship. Lenox declared, that he had no other business in England than to assure her of his master's constant and inviolable affection to her person; and that he was ready to give her all the assistance in his power to subdue her Irish rebels. The queen regarded those professions as sincere marks of James's friendship. She therefore thanked Lenox; and told him, that if the troubles of Ireland should continue, she would accept of his offer. She was, however, under no necessity; for her deputy, lord Montjoy, fortunately, as it afterwards happened, for James himself, effectually reduced the Irish rebels.

I now approach the period that is to close the history of Scotland as a separate kingdom. The natural good sense, the experience, and the difficulties which James had surmounted, had given him a true insight of his real interest; so that he may be considered to have been as well qualified as any of his ancestors in the art of

Project of
James for
civilizing
his island-
ers.

A. D. 1601.

governing his people, at the time when, unhappily for him, as well as them, they lost him. He had long beheld with regret the barbarity of his western islanders; and he instituted a company of gentlemen adventurers, to whom he gave large privileges for reforming them. The method he proposed was to transport numbers of them to his low countries of Scotland, and to give their islands, which were very improveable, in fee to his low-land subjects who should chuse to reside in the islands. The experiment was to be made upon the Lewes, a long range of the Ebudæ, from whence the adventurers expelled Murdoch Mac Leod, the tyrant of the inhabitants. Mac Leod, however, kept the sea; and intercepting a ship which carried one of the chief adventurers, he sent him prisoner to Orkney; after putting the crew to the sword. Mac Leod was soon after betrayed by his own brother, and hanged at St. Andrews. The history of the new undertaking is somewhat dark, and I believe, that the settlers themselves were defective in the arts of civilization. The arrangements they made were considered by the inhabitants as being oppressive, and one Norman, of the Mac Leod family, attacked and subdued them so effectually, that they not only consented to yield the property of the islands to him, but engaged to obtain the king's pardon for what he had done.

This year the queen was brought to bed of
her

her third son, who was christened, on the second day of May, Robert ; his father creating him the same day lord of Annandale, earl of Carrick, marquis of Wigton, and duke of Kintyre. He died at Dumfermling the twenty-seventh day of the same month. James, about this time, enjoyed more tranquillity than ever he had known in his life. He met with no opposition from his clergy ; and his people gave credit to his solemn protestations, that he would do justice to all his subjects without respect of persons. None who had borne the surname of Ruthven were permitted, under the penalty of high treason, to approach within ten miles of his person. His highlanders alone continued turbulent ; for I find that in the beginning of the year 1602, the laird of Mac Gregor, at the head of four hundred of his clan, entered the county of Lenox, where he barbarously put two hundred people to the sword. Elizabeth had now lost great part of her popularity, and did not attempt to give James uneasiness. The Spaniards had invaded Ireland ; and he made a merit with her in not assisting them : add to this, that she was embroiled at this time with the court of France.

The jesuits, however, were ingenious enough to create some trouble to James. They governed the court of Spain ; and that king had never lost sight of the pretended bequeathment made by Mary queen of Scotland of her right to

A. D. 1602.

Balfour's
MSS.

1602.

Intrigues
of the Jesu-
its against
James

A. D. 1602. to the English crown, in favour of his family. Pamphlets were written in favour of the infant; but as she had not the smallest shadow of right, the jesuits threw their eyes upon the lady Arabella Stuart. She was the daughter of the earl of Lenox, the only surviving brother of the lord Darnley, father to James. At first, they projected a match between her and the prince of Savoy, to whom his Catholic majesty was to resign all his title by Mary's destination. This scheme being rejected by the court of Spain, they had recourse to Edward the sixth's testament; and they brought about a marriage between her and a son of the Seymour family, who was the heir male of the Grey and Brandon families, who stood in the succession, by Edward's will, before Elizabeth herself, as descending from Mary queen-dowager of France, younger sister to Henry the eighth. James was not insensible of those intrigues; and it seems to be pretty certain that he made, about this time, certain very indecent advances to the court of Rome to break their force. Some of the Scotch Roman catholics employed one Ogilby, a jesuit, who pretended to have a commission from James, offering to embrace the Roman catholic religion, to extirpate protestantism in his dominions, and to depose Elizabeth, if he was supplied with troops, and a pension from Spain. His proposals were referred to one Cecil, a shrewd, sensible; English

lish jesuit, then residing at Madrid, who discovered Ogilby to be an impostor. This shook the credit of the jesuits; and Parsons retracted the famous book which he had written in favour of the infanta's title to the crown of Britain.

Though James cleared himself, to the satisfaction of Elizabeth and her ministers, from having any concern in Ogilby's negotiation, yet he could not prevent them and Henry the fourth of France from perceiving that he had an unnatural interest at the court of Rome. The marquis de Rosny, afterwards the famous duke of Sully, insinuated to Winwood, as if James had been secretly gained over to the religion, interest, and views of that church; and Henry certainly thought that he had entered into some dangerous connections with the court of Spain; for which reason he ordered his ministers to have a watchful eye over the Scotch agents at Rome. Great part of this jealousy, which was far from being ill founded, arose from the intrigues of the queen, who had her spies and agents at Rome and Madrid, unknown to James, though we are in the dark as to many particulars. It happened fortunately for James, that many of the Roman catholic English and Scotch exiles, though they retained their religion, were men of virtue and principle, and detested the practices of the jesuits, which tended to render their country

A. D. 1602,

try dependent upon the pope and the Catholic king. They sent intelligence of all they could learn to Elizabeth; and, at the same time, implored her pardon, and begged that they might be restored to their country. This was a favour by no means consistent with her plan of politics; for she found their services too useful abroad, to readmit them to England. Their discoveries, however, had the good effect to create a total rupture between the jesuits and the secular clergy, which lasted to the middle of Charles the second's reign. According to Camden, the Spanish jesuits had, at this time, actually formed a scheme for murdering Elizabeth, and for setting James aside from her succession, which was prevented by Elizabeth's immediately expelling their order out of England.

His cautious conduct.

While James was tampering with the court of Rome, he sent Hamilton, one of his domestics, to England with letters, all written by his own hand, to be shewn to his friends, disclaiming all connections with the pope, and solemnly promising, at his accession, to maintain the church of England, as by law established. Those assurances had all the effects he could desire. The moderate party in England wished well to his succession, and considered all the rumours of his advances to popery to be fictions, invented at Rome by the jesuits. Even Elizabeth herself seems to have been of that opinion,

opinion, especially after James, instead of pressing her farther upon the succession, had ordered his ministers to congratulate her upon her deliverance from the treasons of Essex. A. D. 1602.

Though the particulars of Elizabeth's death, which happened on the twenty-fourth of March 1603, may be thought foreign to this history, yet it may be necessary to mention some circumstances preceding it. It is certain, that before the death of Essex, that nobleman had made very dangerous proposals to James, and had promised him the assistance of Lord Montjoy, who was then Elizabeth's lord-lieutenant of Ireland, and at the head of a victorious army, to force Elizabeth to declare James's right of succession. Though James declined following any violent measures, yet he had instructed the earl of Mar and the abbot of Kinlochs to intercede for Essex, and, if needful, to go very great lengths in restoring him to his credit at the English court. Both ambassadors had a high regard for Essex; but finding that his head was cut off before their arrival at London, they wisely suppressed all mention of him in the audience they had of Elizabeth; and secretary Cecil, who was then the first minister in England, supplied the place of Essex, by keeping up a constant, though secret, correspondence with James. After the death of Essex, Elizabeth enjoyed neither health of body, nor tranquillity of mind. She appeared some-

1603.
Death of
Elizabeth.

A. D. 1603. times to be delirious ; and it is probable that she overheard the whispers of her courtiers, about sending for the king of Scotland to take the management of the government. Be that as it will, it is certain, that before her death, she discovered all the symptoms of despondency, and of a fixed aversion to life. Her courtiers, in general, were firmly attached to James ; and they thought it would strengthen his title against the practices both of the jesuits and the puritans, if they could obtain from her mouth a declaration in his favour. Historians have laid more stress upon this circumstance than is needful : and it is a matter of indifference whether she made any such declaration or not ; if she did, I am of opinion that it was some days before her death, and in general, if not ambiguous, terms ; for she said to the lord-admiral, when she was preparing to remove to Richmond, where she died, “ My throne has always been filled by a succession of princes, and ought only to go to my next heirs.” One of her physicians, who has left a journal of her sickness, says, that she had lost the power of her tongue for three days before her death ; so that I know not what credit to give to the reports of her having named the king of Scots her successor a few hours before her death. The earl of Monmouth in his Memoirs, says, that “ on Wednesday the twenty-third of March she grew speechless. That afternoon,

Strype's
Annals,
vol. 4.
p. 372.

Let. Anon.
ad Lamber-
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ternoon, by signs, she called for her council; and by putting her hand to her head, when the king of Scots was named to succeed her, they all knew he was the man she desired should reign after her."

The above I believe to be the fact; but it is extremely uncertain whether Elizabeth meant it as a mark of her approbation that James should succeed her. Her lords were too good courtiers not to interpret it in that light; and the moment the breath was out of her body, the palace gates were shut. Cary, afterwards earl of Monmouth, and the same nobleman I have already mentioned, by the favour and authority of his brother, the lord Hunsdon, was permitted to leave the palace; and (as he had formerly promised to James,) he was the first who carried to him the news of Elizabeth's death, together with a blue ring from a fair lady, (who she was does not appear) which James no sooner saw, than he pronounced him to be a true messenger.

Elizabeth died on the twenty-fifth day of March, after living seventy, and reigning forty-four years, five months, and some days. Her character undoubtedly comprehends all the excellent qualities that can enter into that of a great prince. She was steady and intrepid. She knew the value of money; and was so judicious in her economy, that she could do greater things with a hundred pounds than other monarchs

Her character.

A.D. 1603

could effect with thousands. It is not to be denied, that she raised her kingdom, which at her accession was in a lamentable condition, to the highest pitch of glory. Her great arts were that of balancing parties at home, and of dividing her neighbours abroad; but without recapitulating any part of her conduct towards the Scots, (on which I have been already so full) it may be justly questioned, whether she did not purchase glory at too dear a rate. Her treachery and cruelty toward the unfortunate Mary are indefensible, and rendered Scotland a source of uneasiness to her mind, for which no security she thereby obtained could compensate. The many female foibles of her person and disposition, are lost in the lustre of the events that distinguished her reign; and several singularities, which would have rendered another woman ridiculous, have absurdly been mentioned by historians to her honour. They have even thrown a veil over the acts of tyranny and despotism that stain the annals of her reign; and it will be hard to produce a single principle in the laws or constitution that she did not violate; but success has secured her memory from censure.

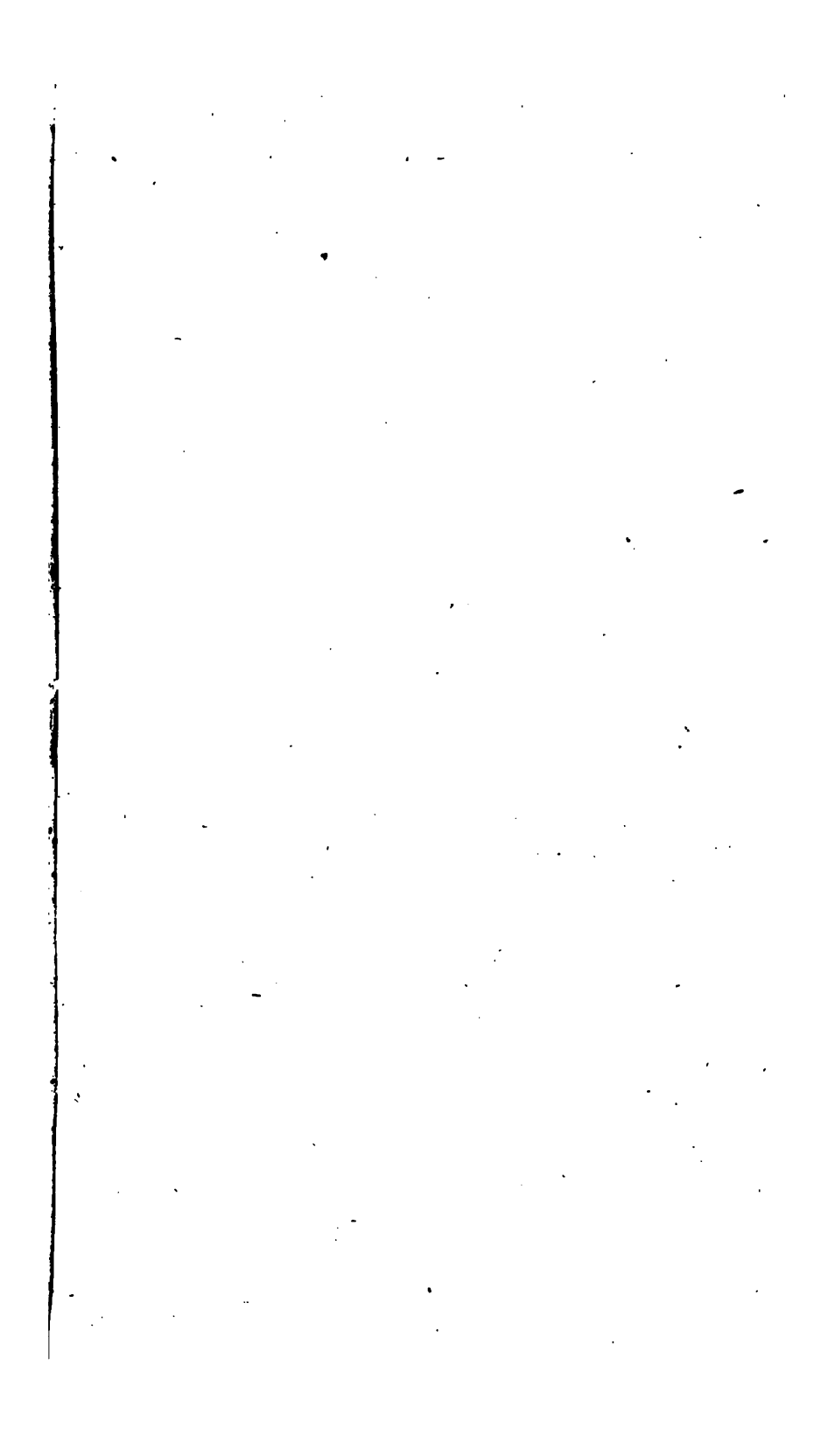
I thus take leave of the History of Scotland as a separate kingdom. I am now to consider it as an accession to a more powerful monarchy, the history of which I do not undertake

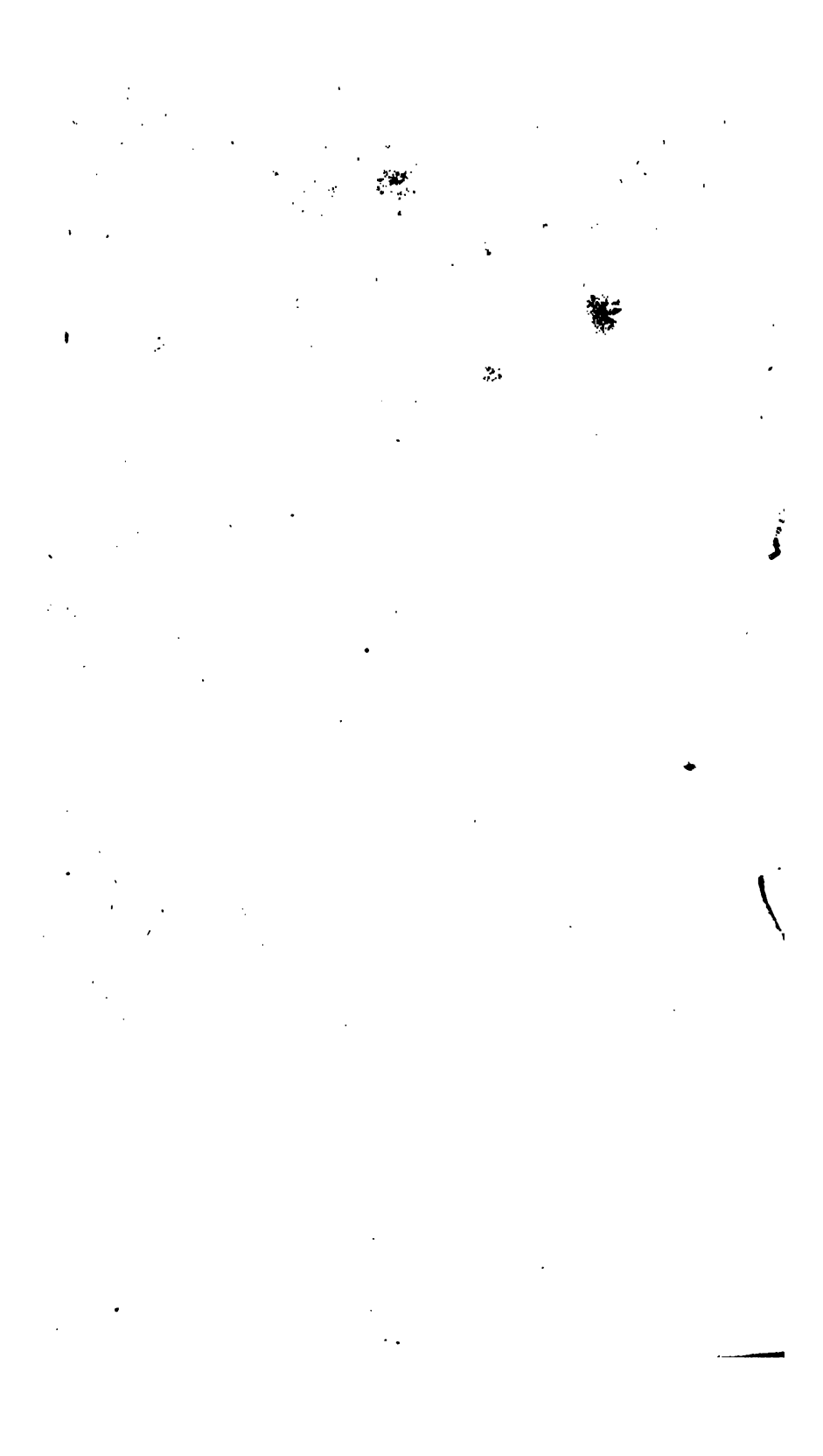
take in this work. The reader, therefore, is A.D. 1603
not to expect that I am to be so particular in
my narrative as hitherto. My province, as an
historian, is confined to the events that affected
Scotland separately from England, in which
I shall be as concise as is consistent with the
perspicuity of writing.

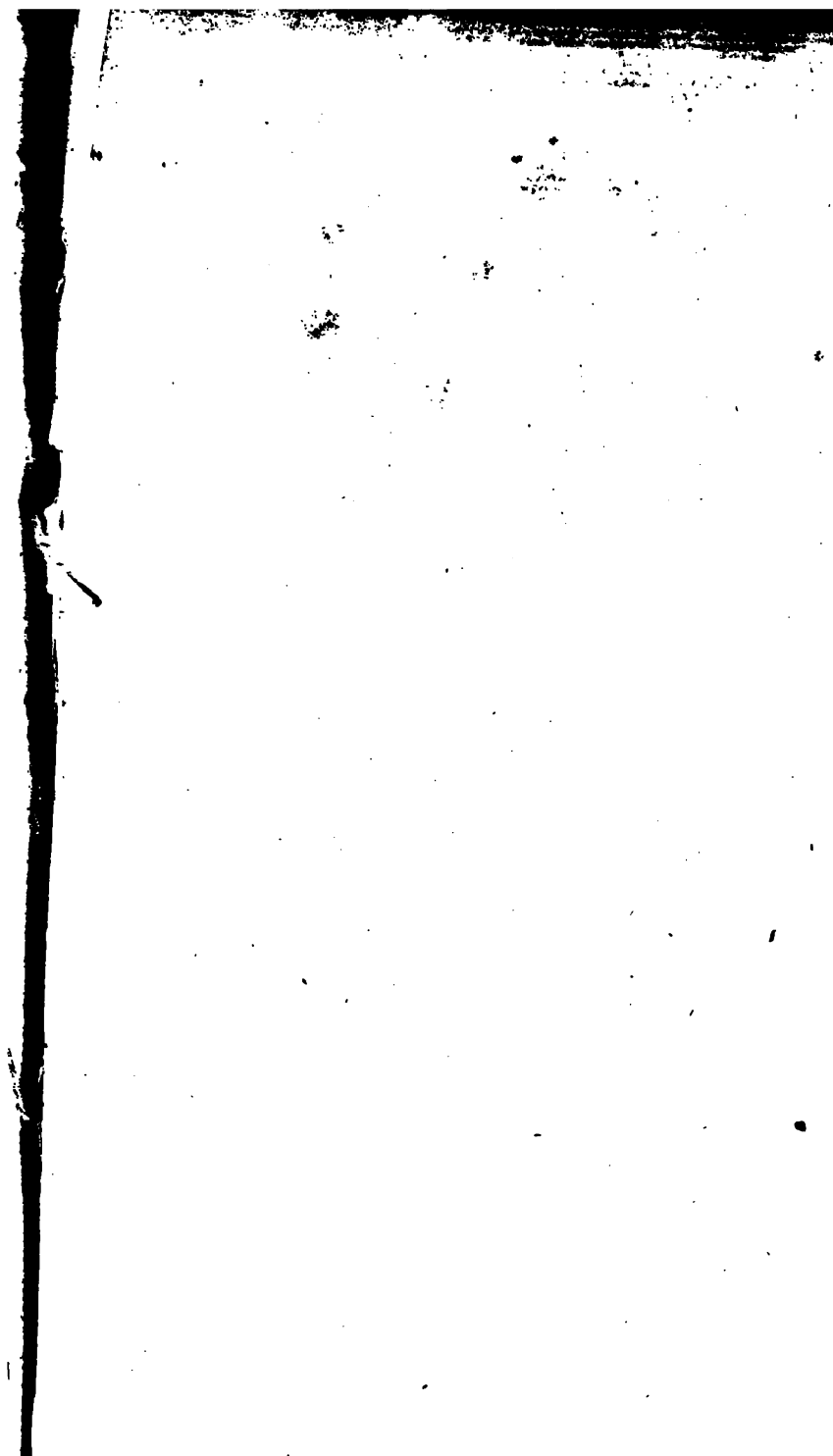
END OF THE EIGHTH VOLUME.

6. The Commission has been informed that the Government of the Republic of Armenia has agreed to accept the findings of the Commission's investigation and to take the necessary steps to ensure that the rights of the victims are protected and that the perpetrators are held accountable.

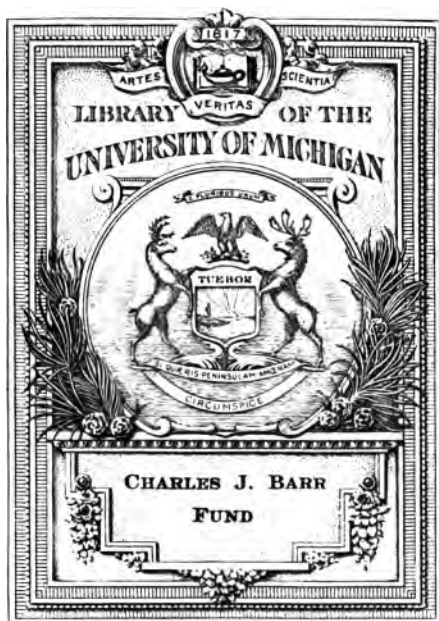
1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Arar and Collins (1971).











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